



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

KSE 98

THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY
AND
POLITICS
OF THE YEAR
1839.



LONDON:

PRINTED FOR J. G. F. & J. RIVINGTON;

LONGMAN AND CO.; J. M. RICHARDSON; HAMILTON AND CO.; SIMPKIN AND
CO.; SHERWOOD AND CO.; J. RODWELL; HOULSTON AND STONEMAN;
G. LAWFORD; J. DOWDING; J. BUMPUS; COWIE AND CO.; J. FRASER;
CAPES AND CO.; H. RENSHAW; H. WASHBOURNE; C. DOLMAN; W. H. REID;
HOULSTON AND HUGHES; WALLER AND SON; J. GREEN; J. THOMAS;
J. BOOTH.

1840.

KSE 98



LONDON :
THOMAS CURSON HANSARD, PATERNOSTER ROW.

CONTENTS.

HISTORY OF EUROPE.

CHAPTER I.

GENERAL REMARKS on the State of Parties at the Commencement of the present Year—Ireland—Chartism—Queen's Speech to both Houses of Parliament—Address—Lord Durham's Question on the Subject of his Report on Canada—Premature Publication of that Document—Debate on the Address—Moved in the Upper House by the Earl of Lovelace, and seconded by Lord Vernon—Speech of the Duke of Wellington—He dwells with much force on the Unexampled State of Affairs in Canada—Allusion to the Chartists—Speech of Viscount Melbourne—Declaration of his Opinion on the Subject of the Corn Laws—He Defends the Conduct of Government in the Matter of Canada, and of Chartist Associations—Speech of Lord Brougham—Bitter Allusion to Mr. O'Connell—Address Moved in the Commons by Mr. E. Buller, and Seconded by Mr. G. W. Wood—His Picture of the General Commercial Prosperity of the Country—Amendment touching Parliamentary Reform: Moved by Mr. T. Duncombe, and seconded by Mr. Ward—Remarks by Mr. Hume—Speeches of Sir Robert Peel—Mr. Villiers—Lord John Russell—and Mr. C. Buller—The Amendment is Rejected. [1]

CHAPTER II.

Corn-Laws—Petition against their Continuance—Motion on the subject in the House of Lords by Lord Brougham—His Speech on this occasion—Enumeration of Disadvantages attending the present System—Danger of Famine—Fluctuations of price—Obstacles to Foreign Trade—Motion opposed by Lord Melbourne and the Duke of Wellington—Negatived without a Division—A similar Motion is made by Mr. Villiers in the House of Commons—Able Speech of that Gentleman on the occasion—Effect of the Corn-Laws on the Manufactures of the Country—Growing competition of Foreign Workmen—Retaliatory restrictions on the part of Foreign Governments—Diminution of the amount of our Export, especially in the instance of Germany—Motion seconded by Mr. Strutt—Opposed by Sir Francis Burdett—Statements in support of the Motion by Mr. Mark Philips—Lord Howick objects to the proposed enquiry, which is advocated by Mr. Poulett Thomson—Opinions of Lord Stanley and Lord John Russell—Able Speech of Sir Robert Peel in opposition to the Motion—He controverts the alleged fact of the decline of our Manufactures—Mr. Villiers's Reply—Division on the Motion—It is rejected by a large Majority. [28]

CHAPTER III.

Irish Affairs—Assassination of Lord Norbury—Meeting of Magistrates at Tullimore—Speech of Lord Oxmantown—Lord Charleville—Resolutions carried—Mr. O'Connell—Dinner at the Circus—and at Drogheda—Mr. Shaw's Motion for Papers relating to Crime in Ireland—Discrepancies of previous returns—Increase of Crime—Murder of Lord Norbury—Ribband Societies—Encouragement of Agitation—Speech of Lord Morpeth—Reasons for Difference in returns—New System of Constabulary—Crime actually diminished—Defence of Mr. Drummond's Letter—Intended Course of Government—Speeches of Mr. Colquhoun—Mr. Pigot—Colonel Connelly—Mr. Tennent—Mr. Litton—Mr. O'Connell—Sergeant Jackson—Debate Adjourned—Speech of Mr. Lefroy—Mr. French—Sir Charles Styles—House Counted out and Subject dropped—Motion of Lord Roden for Committee on the State of Ireland—Reply of the Marquis of Normandy—Vindication of his Exercise of Mercy—and of Patronage—Motion supported by the Duke of Wellington—Opposed by Lord Melbourne—Speeches of Lords Brougham and Plunkett—Motion Carried. [38]

CHAPTER IV.

Irish Affairs continued—Mr. O'Connell in Dublin—His great Activity—House resumes its Sittings—Lord John Russell gives notice of his Resolution—Sir R. Peel reads his projected Amendment—Mr. Duncombe's Rider—Motion of Lord John Russell on the 15th of April—Sir Robert Peel's Reply—Speeches of Mr. Spring Rice—Colonel Perceval—Mr. Lascelles—Mr. Grote—Mr. Gibson—Sir E. L. Bulwer—Mr. Pigot—Mr. Shaw—Lord Morpeth—Sir James Graham—Mr. Duncombe—Sir George Sinclair—Mr. Leader—Mr. Sheil—Lord Stanley—Mr. O'Connell—Reply of Lord J. Russell—House divided after Five Nights' Debate upon Sir R. Peel's Amendment, and upon the Rider of Mr. Duncombe, which was also Defeated—Irish Municipal Corporations Bill—Principal Features of the new Measure—Speech of Sir Robert Peel—Second Reading—House in Committee—Debate on the Qualification—Mr. Shaw's unsuccessful Amendment—Speeches of Lord Morpeth—Lord Elliot—Sir R. Peel—Bill read a Third Time—Severe Strictures of Lord Brougham in the House of Lords on the Second Reading—Lord Melbourne's Answer—House in Committee—Lord Lyndhurst's Amendment on the proposed Franchise—Speech of Lord Brougham—Lord Melbourne—Observation of the Duke of Wellington—Bill passed and carried to the Commons—Further consideration postponed till next Session [61]

CHAPTER V.

Proceedings in Parliament with regard to JAMAICA—Recapitulation of Antecedent Transactions in 1838, both at Home and in the Colony—Bill introduced by Mr. Labouchere for Suspending the Constitution—Provisions of the Proposed Measure—Speeches of Mr. Goulburn—Sir George Grey—Mr. Gladstone—Sir R. Peel hopes that some Arrangement may yet be practicable—Sir S. Lushington—Lord Stanley—Lord John Russell—April 23d—Sir R. Peel gives notice of intentions with reference to the Bill, which is read a Second Time without Opposition—Counsel heard against the Measure—Debate taken, May 3, upon the Question that the Speaker do now leave the Chair—Regret ex-

CONTENTS.

v

pressed by Sir R. Peel that no Compromise had been attempted—He Opposes the Motion—Alternate Speeches of Messrs. Labouchere, Godson, Charles Buller, Hume, and of Sir George Grey—Debate resumed by Mr. Maclean on the 6th—Followed by Sir E. Wilmot, Messrs. Grote, Warburton, Gally Knight, Goulburn, O'Connell, Gladstone, Sir S. Lushington, Lord John Russell—Motion carried by a majority of five—Ministers resign [94

CHAPTER VI.

Resignation of the Ministers—Lord John Russell—Failure of Sir R. Peel to form a new Administration—Explanations in the House of Commons—Sir R. Peel's Statement and Correspondence with Her Majesty relative to the Ladies of the Household—Lord John Russell's Reply—Explanations in the House of Lords—Lord Melbourne and the Duke of Wellington—Singular Paragraph in the Globe Newspaper—Honourable William Cowper's Letter to the Electors of Hertford—Party Misrepresentations—Shrewsbury Address to Sir R. Peel and the Duke of Wellington—Question asked by the Earl of Winchilsea as to the principles upon which the new Government was to be conducted—Lord Melbourne's Answer—Speech of Lord Brougham—Explanation of the Marquess of Normanby—Resignation of Mr. Abercrombie—Election of Speaker in his place—Mr. Shaw Lefevre proposed by Mr. Handley—Seconded by Sir S. Lushington—Mr. Wynn proposes Mr. Goulburn, who is seconded by Mr. Wilson Patten—The Candidates address the House—Mr. Lefevre elected—His Speech [119

CHAPTER VII.

National Education—Proposition of the Government—Normal Schools—Minute of the Privy Council—Call of the House—Subsequent Abandonment of the Plan of a Normal School—Debate on the Subject in the House of Commons—Lord Stanley objects to proposed Board—Opinion of Chief Justice Holt—Doctrines of Religion—Treasury Minute of 1834—Returns for 1834, 1835, 1836, 1837—Lord Morpeth—Lord Ashley—General and Special Religion—Report of the National Society—Mr. Hawes—Statistics of Crime—Mr. Wyse—Ignorance of the People—The Imposter Thom and his Followers—Statistics of Education—Mr. Colquhoun—Mr. Charles Buller—Mr. D'Israeli—Sir George Staunton—Mr. Gibson—Sir Robert Inglis—Mr. O'Connell—Wesleyan Methodists—Mr. Gladstone—Number of Dissents—State Conscience—Petition of the Protestant Dissenters—Chancellor of the Exchequer—Church in the Colonies—Sir James Graham—Lord John Russell—Reports from Chaplains of Prisons—Sir Robert Peel—Division in the House of Commons—Lord Mahon—Mr. Sheil—Majority of Two—Debate in the House of Lords—Archbishop of Canterbury—Statistics of Schools—Resolutions—Lord Lansdowne—Bishop of Exeter—Bishop of London—Mr. Guerry—M. Cousin—Lord Brougham—Duke of Wellington—Division in the House of Lords—National Society—Lord Brougham's Propositions [140

CHAPTER VIII.

Affairs of Canada—Lord Durham's Report—French Canadians—Misgovernment of our North American Colonies—Causes of the present Discontents—Motion for the Correspondence of Sir Francis Head—

Discussion in Parliament—Duke of Wellington—Lord Aberdeen—Lord Durham—Lord Melbourne—Lord Glenelg—Lord Brougham—Appointment of Mr. Turtton—Recommendations contained in Lord Durham's Report—Message of her Majesty to the two Houses of Parliament—Debate in the House of Commons—Lord John Russell—Review of our Policy towards the Canadas—Scheme of the Government for the Union of Upper and Lower Canada—Proposed Representation System—Address from Montreal—Resolutions moved by Sir W. Molesworth—Sir Robert Peel—Mr. Charles Buller—Mr. O'Connell—The Debate adjourned—Remonstrance of the House of Assembly of Upper Canada—Change in the plan of the Government—Discussion in the House of Commons—Committee of Supply—Lord Durham's Expenses—Second reading of the Bill for the Temporary Government of Lower Canada—Lord John Russell—Mr. O'Connell—Mr. Charles Buller—Sir Robert Peel—Mr. Ellice—Debate on going into Committee—Sir William Molesworth—Sir G. Grey—Sir Robert Peel—Legislation postponed until 1842—Powers of the Governor and Special Council—Mr. C. Buller—Conduct of the Government—Mr. Labouchere—Debate in the House of Lords—Lord Normanby—Opinion of Sir John Colborne—Taxation of Lower Canada—Lord Brougham—Severe Criticism on the Conduct of the Ministers—The Question of the Ballot—Lord Melbourne's Defence—Duke of Wellington—Lord Durham—Summary of the proceeding of the Session in respect of Canada—Lord Lyndhurst's Speech [173

CHAPTER IX.

Second Jamaica Bill—Provisions explained by Mr. Labouchere—Observations of Sir R. Peel—Lord John Russell's Retort—Mr. Hume, Sir C. Grey, Mr. Labouchere—Debate in Committee on Sir E. Sugden's Amendment—Speech of Mr. Labouchere, Mr. Gladstone, Mr. Goulburn—Mr. Sheil—Amendment lost—Sir Robert Peel divides the House on the Clause after the Third Reading—Second Reading in the House of Lords—Observations of several Peers—In Committee—Lord Lyndhurst moves the omission of the First Clause—Lord Glenelg defends his own Proceedings—Apparent Disappointment of the Marquess of Normanby—Speech of Lord Brougham—Vehement Reply of Lord Melbourne—Clause Expunged—Lord Harewood's Suggestion—Lord Brougham's Amendment upon the Second Clause—Opposed by Lord Melbourne, and Defeated—Observations of Lord Brougham—Bill passed, and sent back to the Commons—who agree to the alterations—Malta—Address moved by Lord Brougham for Disallowing the Ordinance—Motion of Lord Ripon—Mr. Ward's Resolutions on Colonial Lands [209

CHAPTER X.

Bill for the Suppression of the Portuguese Slave Trade—Speech of Lord Minto on the Second Reading—The Duke of Wellington opposes the Bill as unconstitutional—Lord Melbourne—Lord Minto—Motion rejected—Address to the Crown on the same subject, moved by Lord Brougham, and carried—Her Majesty's Answer read by the Duke of Argyll—A Second Measure brought in by Lord Palmerston—Second Reading moved by Lord Melbourne—Duke of Wellington continues his opposition—Speech of Lord Brougham—Bishop of London—Lord Chancellor—Lord Ellenborough—Bill Read a Second Time

—Duke of Wellington's Protest—Lord Lyndhurst moves an Amendment in Committee on Clause 2, which was carried, after some Observations from Lord Brougham—Bill Read a Third Time, and passed, after another Protest signed by the Duke of Wellington and other Lords—Questions asked by the Marquess of Londonderry relating to Spanish Affairs—Explanation of the Earl of Clarendon—Speech of the Duke of Wellington—Motion of Lord Sandon for Papers referring to Mexico and Buenos Ayres—Speech of Lord Palmerston—Mr. E. Tennent's Amendment—Mr. Grote—Sir Stephen Lushington—Mr. C. Wood—Sir Robert Peel—Viscount Palmerston—Amendment withdrawn—Original Motion agreed to—Lord Strangford refers to the Blockade of Buenos Ayres—Lord Melbourne's Speech—Observations of Lord Ashburton—Subject dropped . . . [242]

CHAPTER XI.

Mr. Grote's Motion on the Ballot—Speech of Mr. Macaulay—Lord John Russell—Sir James Graham—Declaration of Lord Howick—Sir Robert Peel—Motion rejected—Presentation of part of the Report on Committee on printed papers, referring to the case of Stockdale v. Hansard—Report taken into consideration—Resolutions proposed by Lord John Russell—Mr. Warburton's Amendment—Opinions of several Members—Amendment thrown out—Act for the better ordering of Prisons—Motion of Mr. Attwood for a Committee of the whole House to consider the National Petition—Birmingham Riots—Measures of Lord John Russell for ensuring tranquillity—Birmingham, Manchester, and Bolton Police Bills—County Constabulary Police Force Bill—Motion for an Increase in the Army—Observations, on that occasion, of Lord John Russell on the State of the Country—Mr. S. Rice brings forward the Budget in a Committee on Post-office Acts—His Resolution relating to a proposed Reduction of Postage Duties—Strictures of Mr. Goulburn and Sir R. Peel—Resolutions moved by Mr. Goulburn as an Amendment on the Order of the Day for receiving Report of Committee—Mr. Rice—Sir R. Peel—Mr. P. Thomson—Majority for original Motion—Amendment of Sir R. Peel, on second reading of the Resolution, thrown out—Bill brought into the Commons, and passed—Animadversions of the Duke of Wellington, on the second reading, on the Financial State of the Country—No opposition to the Bill—Banks of France and England—Bank Directors raise the rate of Discount—Funding of Exchequer-bills by the Chancellor of the Exchequer—Failure of first attempt—Second arrangement—Explanations in Parliament on bringing in a Bill to confirm the Operation—Lord Lyndhurst's Speech on the Labours of the Session—Reply of Viscount Melbourne—Lord Brougham—The Duke of Wellington—The Queen proceeds to the House of Lords—Address of the Speaker—Her Majesty's Speech—Parliament prorogued . . . [273]

CHAPTER XII.

Report of the Poor Law Commissioners for 1839—Introduction of the Measure into Ireland—Auchterarder Case—State of the Question—Decision of the Court of Session—Judgment of the House of Lords—Meeting of the General Assembly—Motions of Dr. Cook—Dr. Muir—Dr. Chambers—Proposal of Dr. Chambers carried—Proceedings of the Chartists—National Convention—Their Hostility to the Middle Classes—They oppose the Repeal of the Corn Laws—Alarming Riots

at Birmingham—Strictures of the Duke of Wellington—Case of Lady Flora Hastings—Her Death—Ministerial Alterations—Dinner given to the Duke of Wellington at Dover by the Cinque Ports—Speech of Lord Brougham—Mr. Bradshaw's Speech at Canterbury—Colonel Thomas Censured by the Horse Guards for being present at a Dinner where an objectionable Speech was delivered—Queen Communicates her intended Marriage to the Privy Council—Mr. O'Connell's Loyalty—His Speech at Bandon—Attempt of Chartists under Frost to seize Newport—Serious Conflict with the Military—Ringleaders tried for High Treason by a Special Commission and Transported. [297

CHAPTER XIII.

BRITISH INDIA. Notice of Afghanistan—Dismemberment of the Kingdom—Principalities of Cabool—Candahar—Peshawur and Herat—Differences between Herat and Persia—Mr. Ellis arrives at Tehran—His account of the Shah's designs upon Herat—Expedition abandoned at Aslerabad notwithstanding the remonstrances of the Russian Minister—Lord Durham's application to M. Nesselrode—His Explanations—Politics of the Princes of Candahar and Cabool—Kuzzilbash—Objects of the Shah in seeking a Russian Alliance—He prepares for a new Campaign—Negotiations opened without Success through Mr. M'Neill—Expedition sets forth—Lord Durham and M. Rodofinikin—Appearance of Captain Vicovich—Proceedings of Dost Mahommed—Persian Envoy at Candahar—Mission of Captain Burnes to Cabool—Proposes an English Alliance upon certain Conditions—Captain Vicovich in Cabool with Letters from the Emperor and Count Simonich—Shah lays siege to Herat—Great Importance of that Position—Outrages committed upon British servants in Persia—Mr. M'Neill proceeds to the Camp to endeavour to effect an Arrangement—Disconcerted by the Arrival of Count Simonich—Insincere Demeanour of the Shah—Fails to obtain Redress—Retires from the Persian Court in consequence—Palmerston's Menace—Military Preparations in India—Failure of general assault of Herat under the direction of Count Simonich—Gallantry of the Affghans—Lieutenant Pottinger—Indian Government Resolves to Invade Afghanistan—Remarks in justification of that Measure—Siege of Herat raised—Explanations demanded by Lord Palmerston from the Court of St. Petersburg—Count Nesselrode's Note—Answer of Lord Palmerston—Second Letter of M. Nesselrode—Recall of Count Simonich and Mr. Vicovich [317

CHAPTER XIV.

BRITISH INDIA continued.—Camp at Simla on the Jumna—Analysis of the Governor General's Declaration of War—Address of Sir H. Fane—Troops proceed to Ferozepoor—Raising of siege of Herat—Effect of that event upon the arrangements for the campaign—Sir H. Fane resigns the command of the expedition, which devolves on Sir John Keane—Interview of Lord Auckland with Runjeet Singh on the Sutledge—Line of March of the two divisions—Course of the Bombay column—Ameers of Sinde refuse a passage—Occupation of Hyderabad—and Couratchee—Treaty with the Ameers—Bengal division descends the Indus—Crosses at Bukkur—Whole army assembled at Shikarpore—March through Gundava—Bolam Pass—Intense suffering—Treachery of Khan of Khelat—Quetta—Valley of Pisheen—Character of the country—Flight of Kohun Dil Khan—Triumphal entry and coronation

of Shah Soojah at Candahar—Troops recruited—Storming of Ghisneh—Gallant defence of the Affghans—Dispersion of Dost Mohammed's army—He takes refuge in Bokhara—Reduction of the Ghilzees—Storming of Khelat—Return of the army—Mr. M'Naghten to remain at Cabool—Honours conferred on Lord Auckland, Sir John Keane, Mr. M'Naghten, Colonel Pottinger—Aden—Death of Runjeet Singh—Martyrs of Cochin—Deposition of Rajah of Sattara—Taking of Kurnoul—**JAMAICA.**—Remarks—Recall of Sir Lionel Smith—Succeeded by Sir Charles Metcalfe—Meeting of the House of Assembly—Governor's Speech—Committee on the Address—Mr. Dallas's resolutions—Address of the Assembly—Popularity of the Governor—**UPPER CANADA.**—Opening of the Session—Speech of Sir G. Arthur—His Remarks upon the late invasion—Loyal demonstrations occasioned by the outrage—**NEW BRUNSWICK.**—Unanimous vote of the Chamber—**NOVA SCOTIA.**—Resolutions of the Assembly for repelling aggressors—Miscellaneous Addresses on the same subject—Encouraging prospects—Recall of Sir J. Colborne—Mr. Poulett Thomson made Governor General—Lands at Quebec—His proclamation—Address to Sir J. Colborne on his departure—He is made a Peer—Resolutions of the Special Council with regard to the union of the Provinces—Governor General proceeds to Toronto [338

CHAPTER XV.

FRANCE.—General Remarks—Opening of the Session—King's Speech—M. Dupin elected President—Debate on the Address in the Peers—Paragraph relating to Ancona—Address voted—Official Censure of the Bishop of Clermont—Committee of Deputies for drawing up the Address—Party motions in Paris—Hostile Declaration of M. Dupin—News of the Capitulation of St. Juan d' Ulloa—Debate on the Address in C. of Deputies—General discussion—M. Guizot—M. Thiers—Amendment of M. Amilhau—First section carried—Second portion postponed—M. Lanier's amendment on third paragraph carried—Ministerial Amendment of the fourth—Fifth paragraph rejected—Sixth, seventh, and eighth, adopted without opposition—Latter section of M. Amilhau—Modified amendment rejected—Rejection of the second paragraph of the original Address—Remaining Clauses passed without a division—Ministerial majority on the ensemble of the amended Address—State of parties at the close of the twelve days' discussion—Resignation of the Molé Administration [352

CHAPTER XVI.

FRANCE continued.—Ineffectual attempt to form a Cabinet—Ministers return to Office—Dissolution of Chambers—Remarks in the Moniteur—Domestic state of France—Riot at La Rochelle—Savings' Banks—M. d'Argout's report on the Bank of France—Revenue returns—Preparation for the Elections—M. Guizot's letter—Pamphlet of M. Cormeirin—Result of Elections—Ministers resign—Prorogation of Chambers—Provisional Cabinet—Opening of the Session—M. Passy elected President—The Doctrinaires appointment of the Vice-Presidents—Questions of M. Mauguin—Explanations of M. M. Dupin, Thiers, Guizot, Passy, Teste, De Lamartine, Bugeaud, Odillon Barrot and Cunin Gridaine, with regard to the share taken by them in the negotiations of the last six weeks—Ministerial crisis—M. Passy's projected Cabinet—Its fate—Apathy of the Country—Policy imputed to the

King—Impatience of the Chambers—M. Mauguin's motion for an Address to the Crown—Insurrection of the 12th of May—Proceedings of the rioters—Measures adopted by the Authorities—New Ministry appointed under Marshal Soult—Trial of the Insurgents before the Court of Peers—Arnaud Barbes condemned to death—Commutation of sentence—Result of debate on the Staff Bill—Extraordinary grant for the Marine—Supplies voted en masse—Close of the Session—Renewal of war in Algiers [370]

CHAPTER XVII.

SPAIN.—State of parties—Chambers prorogued—Efforts for the approaching campaign—Force of Christinos and Carlists—Victory of Ayerbe—Maroto—Massacres six generals—Expels his rivals from the court—Follows Espartero into Santander—Van Halen et Segura—He is superseded by Noguera—Espartero storms Ramales and Gardamino—He advances into Biscay—Maroto retires—Espartero takes Orduna—Created Duke of Victory—Diego Leon in Navarre—Repulsed from Estella—Falls back upon Lodosa—Capture of Ripoli by Count d'Espagne—Madrid—Cabinet changes—Resignation of Pizarro, Chacon, and Hompanero—M. Ximenes Minister of Finance—Dissolution of Cortes—Tithes re-established—M. Aston succeeds Lord Clarendon—Popularity of the late Minister—Espartero occupies Balmaseda and Arceniga—Success of O'Donnel at Lucena and Tales—Numerical force of the Army of the north—Re-appearance of Muniagorri—Basques desirous of peace—Intrigues in court and camp of Don Carlos—Revolt of Navarrese Battalions—Maroto suspected—Open rupture with Don Carlos—Flight of the latter to Lecumberri—Maroto negotiates with Espartero—Convention of Bergara—Maroto lays down his arms—March of Espartero through Guipuscoa—Carlos retires to Urdax—Takes refuge in France—Virtual conclusion of the war—Meeting of the Cortes—Queen's Speech—Fueros Bill—Report of the Committee—Bill of Amnesty—Calatrava President—Debates on Fueros Bill—M. Olozaga's Amendment—Proposed Compromise—Violent Discussion in Deputies—M. M. Olozaga and Alaix—Sentimental scene in the Chamber—Bill passed—Address—Amendment carried by Opposition—Cortes prorogued—Resolution passed in anticipation of the event—Resignation of Alaix—Dissolution of Chambers. **PORTUGAL.**—Opening of Extraordinary Cortes—Queen's Speech—Committee on Elections—Ordinary Cortes succeed—Ministerial Address voted—Ministers beaten on Standing Army—Resignation of Cabinet—New Ministry of Sabrosa—Loan voted—Budget passed—Session concluded—Lord Palmerston's Slave Trade Bill—Dismissal of Sabrosa Administration—Cause of their retirement—Count de Bomfim Prime Minister [384]

CHAPTER XVIII.

BELGIUM.—Territorial Question—Territorial Provisions of the 24 Articles—Summary of the previous conduct of the two States in relation to those proposals—Determination of the Five Powers—Their Protocol of December 6, with the appended Notes—24 Articles presented as their ultimatum, with certain modifications—Consequences of a refusal stated on the part of either Kingdom—Accession of France to the Decree of the Conference—Holland accepts the Treaty—Belgium Foreign Minister recommends the adoption in the Chamber of Deputies, and submits a Project of Law enabling the King to accede to the

Articles—Motion referred to the Sections—Favourable Report of the Central Section, who submit a Bill—Long and vehement Debates in the Belgium Chambers—The Bill is finally carried, and afterwards passes the Senate.—HANOVER.—Assembling of the States General—Proclamation of the King annulling the Constitution of 1833 in favour of that of 1819—Statement of the Reasons for this Measure—Creation of New Council of State in place of the Old Privy Council—Its Constitution—Speech of the King on the opening of that body.—Chambers of Hanover protest against the Constitution of 1819—They are prorogued, and convoked for the 28th of May.—Proclamation of the King—Final Judgment of the Diet, by which the Constitution of 1833 is annulled and that of 1819 declared to be in force.—The Diet persist in declining to interfere in the arrangement of the Constitution between the King and the States—Effect of this Decision—In consequence of overtures from the States, the King appoints a Commission to submit Proposals for their Consideration on the subject.—TURKEY.—Martial Preparations of the Sultan for Invading Syria—Proceedings of Ibrahim Pasha—Efforts of the European Powers to prevent hostilities between the parties—Proposals of Mehemet Ali—Sultan determines to proceed—The Reasons alleged by him for going to War—Declaration read in all the Mosques—Fleet weighs anchor—Address of the Sultan on board the Admiral's Ship—Troops of the Sultan move upon Syria—Advance of Ibrahim from Aleppo—Battle of Nezib—Utter rout of Seraskier—Mission of M. Caillier—Death of the Sultan—He is succeeded by his Son—Abdul Medgib—Kosrew Pasha becomes Grand Vizier—Other Cabinet changes—Recal of Hafiz Pasha—Treachery of the Capitan Pasha, who carries the Fleet to Alexandria—Proposals of the Sultan to the Pasha of Egypt—Reply of the Pasha—Mehemet Ali's Circular to the different Pashas of the Empire—Note of the Ambassadors at Constantinople to the Sultan, proposing to undertake conjointly the discussion of the Eastern Question—Circular of Marshal Soult—Sanctioned by the other Powers—Proposed Conference at Vienna—Refusal of Russia to send a Representative—Conference removed to London—Mission of M. Brunow—M. Pontois succeeds Admiral Roussin as French Ambassador at the Porte—Promulgation of the celebrated Hatti Sherif of Gulkhaneh [400

CHAPTER XIX.

UNITED STATES.—President's Message—Various contents—Financial Statement—Removal of the Indians—North-eastern Boundary—Resolutions passed in Congress for exclusion of the Abolition Question—Depredations on the Aroostook—Land Agent of Maine arrested—Seizure of the British Warden—Sir J. Harvey's proclamation and letter to the Governor of Maine—Message of Governor Fairfield to the States of Maine—His warlike preparations—Propositions on the part of New Brunswick—Correspondence between Mr. Fox and Mr. Forsyth—President's Message to Congress—Debate thereon—Temporary adjustment proposed and communicated to the Houses—Violent Speeches in the Senate—Recommendations of the Committee on Foreign Affairs—Message of the Governor of Maine relating to memorandums of Messrs. Fox and Forsyth—Abatement of the excitement—Resolutions of Chambers of Massachussets and New York—States of Maine deliberate on the Governor's Message—Moderate Resolutions of the Senate—Violent resolves of the House of Representatives—Committee of Conference

appointed—Resolutions of the Senate adopted—End of the question. MEXICO.—Arrival of French Squadron—Proposed Negotiations—They come to nothing—Storming of St. Juan d'Ulloa by Admiral Baudin—Capitulation of Vera Cruz—Temporary Conditions—Subsequent Signature of Treaty between France and Mexico—Continuance of the Civil War—Tampico taken by the Government Troops—Flight of Urrea.—CHINA.—Measures of the Authorities for the suppression of the Opium Trade—Arrival of Commissioner Lin—He demands a bond—Summons Mr. Dent—Captain Elliot proceeds to Canton—Imprisonment of the Chief Superintendent of the whole factory—Delivery of all the Opium under Captain Elliot's guarantee—Release of the Merchants—Captain Elliot's despatch to the Governor-General on the subject. [415

CONTENTS.

xiii

CHRONICLE.

EVENTS - - - - - 1

APPENDIX TO CHRONICLE.

Queen's Ministers	-	279
Sheriffs	-	280
Births	-	282
Marriages	-	291
Promotions	-	303
Deaths	-	310
Financial Statements	-	382
Trade	-	397
Navigation	-	398
List of the General Acts	-	401
Local and Personal Acts	-	405
Private Acts (Printed)	-	410
----- (Not Printed)	-	412
Prices of Stock	-	414
Prices of Corn, Hay, Clover, Straw, and Butcher's Meat	-	415
Bills of Mortality — Bank- rupts—Meteorological Table	-	416
University Intelligence	-	417

PUBLIC DOCUMENTS.

FOREIGN.—Holland and Bel- gium—Protocol of the Con- ference held at the Foreign- office, Dec. 6th, 1838	-	421
Note A, Annexed to the Proto- col of Dec. 6th, 1838.—The Plenipotentiaries of Austria and Prussia, to the Plenipo- tentiaries of France, Great Britain, and Russia	-	422
Note B, Annexed to the Proto- col of Dec. 6th, 1838.—Sub- stance of the modified Treaty proposed	-	423
Note C, Annexed to the Proto- col of Dec. 6th, 1838.— Draught of a Note of the Five Plenipotentiaries of the Five Powers to the Plenipoten- tiary of his Majesty the King of the Netherlands	-	424
A Treaty between the Five Powers and his Majesty the King of the Netherlands, with an Appendix; and a Treaty between his Majesty the King of the Netherlands and his Majesty the King of the Bel-	-	

gians, inviting him to commu- nicate this to his Government, with the present Note	-	424
Note D, Annexed Draught of a Note to the Plenipotentiary of his Majesty the King of the Belgians	-	425
Note E, Annexed to the Proto- col of Dec. 6th, 1838	-	426
Note F, Annexed to the Proto- col of Dec. 6th, 1838	-	426
Note G, Annexed to the Proto- col of 6th of Dec., 1838.— Treaty between the Five Powers and his Majesty the King of the Belgians	-	427
Commercial Treaty between Holland and the United States	-	427
China—Edict from the Impe- rial Commissioner to Foreign- ers of all Nations	-	429
Trade with China—Public No- tice to her Britannic Majesty's subjects	-	433
Hatti Sherif, read by Reschid Pasha on Nov. 3rd, 1839, in presence of all the Ministers, Ulemas, Pashas, and Depu- tations of Nations, Sects, and Races subject to the Sultan	-	435
Treaty of Commerce between the Sublime Porte and Great Britain	-	437
Appendix to the above Treaty	-	437
United States—The President's Message	-	439
DOMESTIC.—Letters to the Queen from Lady Loudon, and Viscount Melbourne's Replies	-	463
Sir James Clark's Statement of the Case of the late Lady Flora Hastings	-	466

PATENTS.	-	473
POETRY	-	482
INDEX	-	485

THE
ANNUAL REGISTER,
FOR THE YEAR
1839.

HISTORY OF EUROPE.

CHAPTER I.

General Remarks on the State of Parties at the Commencement of the present Year—Ireland—Chartism—Queen's Speech to both Houses of Parliament—Address—Lord Durham's Question on the Subject of his Report on Canada—Premature Publication of that Document—Debate on the Address—Moved in the Upper House by the Earl of Lovelace, and Seconded by Lord Vernon—Speech of the Duke of Wellington—He dwells with much force on the Unexampled State of Affairs in Canada—Allusion to the Chartists—Speech of Viscount Melbourne—Declaration of his Opinion on the Subject of the Corn Laws—He Defends the Conduct of Government in the Matter of Canada, and of Chartist Associations—Speech of Lord Brougham—Bitter Allusion to Mr. O'Connell—Address Moved in the Commons by Mr. E. Buller, and Seconded by Mr. G. W. Wood—His Picture of the General Commercial Prosperity of the Country—Amendment touching Parliamentary Reform: Moved by Mr. T. Duncombe, and Seconded by Mr. Ward—Remarks by Mr. Hume—Speeches of Sir Robert Peel—Mr. Villiers, Lord John Russell, and Mr. C. Buller—The Amendment is Rejected.

AT the opening of the year 1839, the public attention was directed to two subjects of very general interest. These were the proceedings and progress of the chartists, of whom some account has been given in the last Vol. LXXXI.

volume; and the sudden, though concentrated, movement of the manufacturing interest in hostility to the existing system of corn-laws. The position of the government, whose task it was to contend with these two formidable sources [B]

2] ANNUAL REGISTER, 1839.

of difficulty, must, however, form the first subject of our consideration.

We took occasion, at the commencement of our volume for the year 1837, to comment at some length on the particular aspect which the state of parties then presented in this country. That condition of things has continued up to this time with so slight alteration, as to afford little or no opportunity for the renewal of a similar course of observation. The two great parties which divide opinion in England—whether we call them whig or tory, conservatives or reformers—have maintained nearly the same relations, both of position and force: the whigs just strong enough to remain in power; and their opponents uniformly precluding their making any use of it. To statesmen, who look in office to something beyond the mere emolument of salary and patronage, such a situation might be supposed anything but desirable. We do not assume that such is the only inducement for the adherence of the present government to their places, but really it is not easy to see what other consolation they can have in the possession of them, unless it be, as we formerly hinted—the satisfaction of keeping their adversaries out.

To the country generally, the protracted continuance of such a state of affairs, is no doubt pregnant with inconvenience of every kind. The impartial politician, may nevertheless console himself with the reflection, that, after all, it might be much worse; and indeed, judging by the indications which the tendency of public opinion presented after the passing of the reform bill, a much worse one might reasonably have been

apprehended. If the existing balance of parties impede the march of useful legislation, it equally suspends all movements of rash and experimental innovation; if it deprives us of a firm and vigorous government, at least it assures us the protection of a strong conservative opposition. The power of obstruction which the opponents of the present administration possess, might in other hands be employed to purposes the most pernicious to the peace and order of the state. Confided to men, who, by their social position, not less than by their avowed political principles, are emphatically bound to the maintenance of its welfare, we may indulge the hope, that however party tactics may be allowed to embarrass the decision of some particular measures, the opposition, in its general movement, will take care that the great interests of the country be steadily and substantially consulted.

As we have already observed, the relative strength of the two parties continued much the same they were described to be at the commencement of the year 1837. The demise of the crown, which took place in the course of that year, did indeed deliver the ministers from an avowed adversary in the person of the monarch, and they have so availed themselves of their means of early and exclusive access, as to secure an equally firm and acknowledged friend in his youthful successor. But this circumstance has lost much of the importance which it would have possessed previously to the passing of the reform bill. The effect of that measure has been virtually to deprive the crown of almost all voice in the selection of its ministers. There is no longer a con-

siderable party in the two houses of parliament, understood to be always ready, under ordinary circumstances, to support the king's government into whatever hands it may be confided. Nor, we may add, in the present instance can it be said, that the open preference of their fair and youthful mistress, has added materially to the popularity of her servants with the country in general. Still, however, there can be no doubt that the ministers have found considerable advantage in her support. It secures them at least from any experiment on the part of the crown similar to that which they underwent from their late master at the close of 1835. It further ensures to them the full exercise of the power of dissolution—a prerogative, which perhaps presents the only remaining means, by which the crown can operate upon the hopes and fears of the house of commons.

In that house, the supporters of the ministry, had upon the whole, rather decreased in number since their accession to the government; though not to such an extent as would seem to justify their opponents in taking their places, unless with the assurance of a power of eventual appeal to another parliament. In the country generally, the popularity of the whigs may also be said to have continued on the decline. Many causes are obviously assignable for this effect. In the first place, it is one which, more or less, is apt to attach to the exercise of the duties of government in whatever hands they may be placed, but more especially when its more obnoxious functions are performed by a party professing themselves the natural advocates of popular rights. Moreover, it was peculiarly difficult for

a ministry, denominating itself one of *reform*, to satisfy the expectations which such a style and title was naturally calculated to excite. Accordingly, the movement party had long ago expressed their disgust with the moderation of their former leaders in the cause, and their distrust even of the sincerity of their continued professions of reform, and were only kept in something of subordination by the conviction, that, after all, their sole option in respect of a government lay between the present men and the Tories. So nice indeed was the division of parties at this time, that the most vehement of the liberal impugnors of the ministry, did not dare to withhold from it the assistance of their votes, though by the loud and frequent expression of their dissatisfaction, they materially contributed to the decline of its popularity without doors.

Another ground of this change is to be found in the continued close connexion of the government with Mr. O'Connell. Notwithstanding his many services in the cause of reform, that gentleman has never enjoyed the sympathy of any considerable mass of the English people. In spite of the boasted progress of modern liberality in such matters, popery is still unpopular in this country. The conservative party is well aware of this fact, and its adherents and organs accordingly, if not its chiefs, have assiduously endeavoured to take advantage of it, by aggravating in every possible manner the apprehensions of Romanist intrigue and encroachment. These efforts have evidently been not without their effect upon the popularity of the whigs, and may so far be said to have materially served

[B 2]

the cause of their adversaries as an opposition ; but though the employment of such means may accelerate the return of the conservatives to power, we suspect they will find it to have grievously embarrassed their subsequent exercise of it.

Ireland is still, as it has been for the last forty years, the cardinal point of English domestic politics. At this moment, their government of that part of the empire may be said to form at once the strength and the weakness of the present ministers. On the other hand, we believe the warmest friend of sir Robert Peel, cannot but entertain some misgiving as to the manner in which, on his return to power, he would be able to deal with that part of our public administration. One thing indeed seems certain—if it be an anti-papal and anti-Irish cry that brings him into office, the necessary reaction of it on the sister island will make it hardly possible that he should long retain it. The experience of every year affords fresh evidence, how impossible it is for this country to continue the government even of its remotest dependency, on principles unpopular with the mass of the inhabitants. Nothing, therefore, can be more wild than the imagination, that the connection of Ireland with Great Britain, can be maintained on any other than grounds of mutual interest and goodwill. The only alternative is a military occupation ; which, if there were no higher objection to such a measure, would be demonstrably not worth the trouble and expense of it. We do not dissemble to ourselves the many and grave sacrifices which under the happiest circumstances must attend the solution of this

political problem ; but it should be remembered, that grievous as they may be, it is not for England to complain of them. Her connexion with Ireland originated in conquest, and for centuries was maintained only by force of arms ; for the embarrassments, therefore, which yet beset that relation, she is herself properly and exclusively responsible, and indeed may be said to be only now suffering the rightful retribution which, sooner or later, ever follows the infliction of wrong.

The movements of the people calling themselves chartists formed, as we have said, a principal subject of embarrassment at this period, and were still more important from the indications they seemed to afford of a growing disaffection of the lower orders to the state. For the principles of chartism itself, we shall not have far to seek ; and the circumstances that have more immediately contributed to their recent development, are still more obvious to our research.—Moralists have long busied themselves in proving that the means of happiness are pretty equally distributed to all classes of the community ; but, however well founded their conclusion may have been in this respect, we doubt if they have ever succeeded in convincing that party which is the most interested in the truth of it. The contrast afforded by the privations of the many, and the superfluities of the few, and the equally marked disproportion that exists between their physical importance and their direct weight in the state, are facts which have naturally and at all times afforded topics of discontent to the multitude. Nothing, we apprehend, could have prevented a more frequent outbreak of this feeling, but the effect of long,

unbroken habit; to which we may add a sort of instinct of submission to established authority, which, for the purpose of securing domestic order, seems to have been implanted in the human constitution. Persons forming the bulk of that class, or indeed of any class, do not we believe reason much, otherwise, a better motive for forbearing such attempts on their part, might be found in the demonstrable hopelessness of them; as far we mean as regards their professed objects. It is evident that the most complete success of an insurrection of this nature, would have the effect only of aggravating all the sufferings and privations which it was intended to remove. The great mass of every people depend upon *employment* for their subsistence. The means and the recompense of this are in direct proportion to the accumulation of capital, and the security of property; both which circumstances depend immediately on the preservation of public peace and order. The People may suffer, but certainly it is not by the use of their physical resources of power that the source of their suffering can be abated. The remedy may not the less lie with themselves, but it is in the employment of their moral resources that we must look for it. We are far from meaning to affirm that government may not most importantly contribute to this effect, and that it is its first duty so to endeavour; and if the late popular movements should have operated to awaken it to a livelier sense of its duty in this respect, we shall see little to regret in their occurrence.

The principle of those movements, is, as we have said, to be found in human nature. Their more immediate occasion we must

seek in the reform bill. The direct effect of that measure, both by its nature, and the means by which it was carried, was to break the sense of prescription, and the habit of obedience on the part of the people. The measure itself, may have been as necessary, and its benefits in many respects, as important, as its authors and advocates asserted; but it has not the less inflicted an immedicable wound on the constitution of this country. It was absurd to suppose, that the doctrines then put forward by the supporters of the measure, would be carried no farther than suited *their* convenience, or that others would not be found, who, for their own objects, would be ready to push them to their strictly legitimate consequences. As little was it likely that the great mass of the lower orders, after having been successfully employed for securing the franchise to the class just above them, would not soon be disposed to venture a similar experiment of their strength for objects more directly interesting to themselves. This was the more to be expected, from the necessary disappointment which followed, of all those promises of immediate alleviation, by which their active support had been purchased.

It must have seemed a singular illustration of the fulfilment of these hopes, that one of the first measures proposed and carried in the reform parliament, was the change in the poor-law. That that measure was intended for the benefit of the poor, and that by its main provisions it will ultimately conduce to that effect, we are fully assured; but it was difficult to persuade the poor themselves of this, and particularly that generation of them who had grown up

under a different system. Accordingly, it was to the assistance of an anti-poor law agitation, that the chartist leaders were chiefly indebted for the first spread of their anarchical doctrines.—The attempt which was at the same time made in another quarter, to excite a popular feeling against the corn laws, did no doubt contribute to the same end—though in this last instance it cannot be said that the chartists themselves took any direct part.—On the contrary, they took pains on every occasion to express their conviction, that the repeal of the corn laws would of itself do little for the improvement of the condition of the labouring classes, always contending that the social evils under which they suffered, required remedies of a far more searching and sweeping character. At every public meeting for petitions against the corn-laws, they uniformly proposed additions of a political character, to the resolutions on which they were to be founded; the effect of which was in many instances, to cause the abandonment of them altogether. The policy of this conduct on the part of the chartists is not very apparent, unless it be that their leaders were averse to the removal of any seeming grievance, by the continuance of which the discontent of the multitude might be kept alive, and its co-operation thus better secured for the accomplishment of their own particular ends.—We may add, that neither against the corn nor the poor-laws, were the attempts at agitation as successful as might have been expected, considering the popular character of the arguments employed by the adversaries of those enactments, and the serious amount of distress which was actually pressing on the labouring

classes in many parts of the country. We know not how to account for this result, unless it be that the disappointment of their expectations in the instance of the reform bill, has given the people generally, a distrust of political doctors, and a distaste for their remedies.

Parliament had been summoned to meet on the 6th of February, on which day the Session was opened by the Queen in person. We shall give the speech delivered by her Majesty on this occasion entire.

“ My Lords and Gentlemen,

“ I rejoice to meet you again in Parliament. I am particularly desirous of recurring to your advice and assistance at a period when many matters of great importance demand your serious and deliberate attention.

“ I continue to receive from Foreign Powers gratifying assurances of their desire to maintain with me the most friendly relations.

“ I have concluded with the Emperor of Austria a treaty of commerce, which, I trust, will extend and improve the intercourse between my subjects and those of the Emperor.

“ I have also concluded a treaty of the same kind with the Sultan, calculated to place the commercial relations between my dominions and the Turkish Empire upon a better and more secure footing.

“ I have directed copies of these treaties to be laid before you.

“ I have engaged, in concert with Austria, France, Prussia, and Russia, in negotiations with a view to a final settlement of the differences between Holland and Belgium.

“ A definitive treaty of peace, founded upon anterior arrange-

ments, which have been acceded to by both parties, has, in consequence, been proposed to the Dutch and Belgian Governments. I have the satisfaction to inform you that the Dutch Government has already signified to the conference its acceptance of that treaty, and I trust that a similar announcement from the Belgian Government will put an end to that disquietude which the present unsettled state of these affairs has necessarily produced. The unanimity of the five allied Powers affords a satisfactory security for the preservation of peace.

"I lament the continuance of the civil war in Spain, which engages my anxious and undiminished attention.

"Differences which have arisen have occasioned the retirement of my Minister from the Court of Teheran. I indulge, however, the hope of learning that a satisfactory adjustment of these differences will allow of the re-establishment of my relations with Persia upon their former footing of friendship.

"Events connected with the same differences have induced the Governor-general of India to take measures for protecting British interests in that quarter of the world, and to enter into engagements, the fulfilment of which may render military operations necessary. For this purpose such preparations have been made as may be sufficient to resist aggression from any quarter, and to maintain the integrity of my eastern dominions.

"The reform and amendment of the municipal corporations of Ireland are essential to the interests of that part of my dominions.

"It is also urgent that you should apply yourselves to the prosecution and completion of those measures which have been recom-

mended by the Ecclesiastical Commissioners of England, for the purpose of increasing the efficiency of the established church, and of confirming its hold upon the affections and respect of my people.

"The better enforcement of the law, and the more speedy and certain administration of justice, are of the first importance to the welfare of the community; and I feel assured that you will be anxious to devote yourselves to the examination of the measures which will be submitted to you for the purpose of attaining these beneficial results.

"Gentlemen of the House of Commons,

"I have directed the annual estimates to be prepared and laid before you.

"Adhering to the principles of economy, which it is my duty to enforce in every department of the state, I feel it my duty to recommend that adequate provision be made for the exigencies of the public service.

"I fully rely on your loyalty and patriotism to maintain the efficiency of those establishments which are essential to the strength and security of the country.

"My Lords and Gentlemen,

"It is with great satisfaction that I am enabled to inform you, that throughout the whole of my West Indian possessions the period fixed by law for the final and complete emancipation of the negroes has been anticipated by acts of the Colonial Legislatures, and that the transition from the temporary system of apprenticeship to entire freedom has taken place without any disturbance of public order and tranquillity. Any measures which may be necessary, in order to give

full effect to this great and beneficial change, will, I have no doubt, receive your careful attention.

"I have to acquaint you, with deep concern, that the province of Lower Canada has again been disturbed by insurrection, and that hostile incursions have been made into Upper Canada by certain lawless inhabitants of the United States of North America.

"These violations of the public peace have been promptly suppressed by the valour of my troops and the loyalty of my Canadian subjects.

"The President of the United States has called upon the citizens of the Union, to abstain from proceedings so incompatible with the friendly relations which subsist between Great Britain and the United States.

"I have directed full information upon all these matters to be laid before you, and I recommend the present state of these provinces to your serious consideration.

"I rely upon you to support my firm determination to maintain the authority of my Crown; and I trust that your wisdom will adopt such measures as will secure to those parts of my empire the benefit of internal tranquillity, and the full advantages of their own great natural resources.

"I have observed with pain the persevering efforts which have been made in some parts of the country to excite my subjects to disobedience and resistance to the law, and to recommend dangerous and illegal practices. For the counteraction of all such designs, I depend upon the efficacy of the law, which it will be my duty to enforce, upon the good sense and right disposition of my people, upon their attachment

to the principles of justice, and their abhorrence of violence and disorder.

"I confidently commit all these great interests to your wisdom; and I implore Almighty God to assist and prosper your counsels."

Before the commencement of the debate on the address in the house of lords, and even before the Lord Chancellor had read the speech, lord Durham rose for the purpose of asking lord Melbourne, when it was his intention to lay upon the table that information respecting the affairs of Canada, which had been referred to in her majesty's speech. The latter replied, that it would be produced as soon as ministers had had an opportunity of examining its contents. This intimation of delay, however short, gave great dissatisfaction to lord Durham, and means were found, as will be presently stated, for immediately communicating the "report" to the public in its original state, unmutated by official caution.

The earl of Lovelace then proceeded to move the address. After touching in the usual manner, upon the various topics of the royal speech, he noticed the high price then borne by the necessaries of life. This brought him to declare himself an advocate for the repeal of the corn laws, though at the same time, he contended that no blame was ascribable to ministers for omitting to mention that subject in her majesty's speech, considering the state of the public mind upon the question—the exaggerated expectations which were entertained on one side—and the unfounded apprehensions that might be felt on the other. Under these circumstances, he did not think that ministers were bound

to declare themselves in favour of either repealing or maintaining the existing laws.

Lord Lovelace, with some little intrepidity of doctrine, proceeded to assert that the great distress which had been occasioned by the high price of food had been much mitigated by the beneficial operation of the new poor-law. In 1831, when the same cause was in operation, extreme misery was experienced, and very great outrages were perpetrated; and yet, at that time, the price of bread was fifteen or twenty per cent. lower than at the present time. It must be admitted that wages had not attained a desirable level, but a disposition was apparent on the part of the land-owners to consider the condition of the labourer.

The duty of seconding the address having been discharged by Lord Vernon, the duke of Wellington proceeded to deliver his sentiments. He said, he had no objection to make to the speech from the throne. It had nothing to say (and, in his opinion, very properly), to corn-laws, to poor-laws in England or Ireland, to Lord Durham's mission, and to many topics of similar importance, which would claim consideration on future occasions. He concurred with the tenour of the address, displaying, as it did, a favourable picture of foreign affairs, and especially with that part of it which related to the settlement of the Hollando-Belgic question. The commercial treaties with Austria and Turkey were then noticed by the duke in terms of approbation. With respect to the Irish corporation bill, he was not, he said, disposed to depart from the principles upon which he had acted in the preceding session. On the affairs

in Upper Canada, the duke expressed himself in strong language, affirming that the system of private war which prevailed on the frontier was unknown in any other part of the world. They might read of such things in the history of barbarian nations, but never till the case before them, had instances occurred of such wars between civilized ones. Her majesty's loyal subjects in that province had the clearest claim to have the strong arm of government extended over them for the defence of their lives, of their rights, and of their property. Yet though hundreds after hundreds of the persons who assailed the loyal portion of the Canadian population had been captured, so ineffectual seemed the laws that the outrages continued without abatement. Unless vigorous steps were speedily taken, they would find their province of Upper Canada treated much as Texas had been. He therefore entreated government to consider this as a great national war; to remember, that it involved the highest national interests, and that it behoved them to proceed on a large scale of action if they desired to bring it to a safe and satisfactory conclusion. Without entertaining any doubt of the intentions of the president of the United States, he could not but feel regret, when he saw American citizens coming armed into our territory, armed, too, with cannon belonging to the United States; nor could he avoid feeling surprise when he was assured that it was out of the power of that government to prevent such transactions. There could, he conceived, be no doubt but that the civil government of any country was capable at any time of preventing the collection of bodies

of troops within its territory for the purpose of invading neighbouring states; but here they saw the United States' government sitting down quietly, and taking hardly any notice whatever of the invasion of the British provinces by its subjects. The duke finally addressed himself to the last paragraph of the queen's speech which had reference to the proceedings of the chartists. "My lords," proceeded his grace, "I could wish her majesty's ministers, and the noblemen who are in the habit of supporting them, to attend most particularly to this subject. It is, indeed, but too true that such efforts have been continually made to excite her majesty's subjects to resistance to the laws. But in connection with this fact, let me remind you of a discussion which took place in parliament on a former occasion, when noble lords, and one high in office, came down and insisted with the utmost warmth upon the indispensable necessity of not interfering with what they described as the rights of the people, demanding that no restriction whatever should be thrown on their right to assemble in large bodies, which dangerous doctrine was not even limited by the rule laid down by the law of the land, that such assemblies must not be in numbers sufficient to create alarm in the community. Remember, too, that at the very moment when the noble lord, at the head of the home department, was proclaiming a doctrine of that kind, in its fullest extent, at a meeting at Liverpool, large crowds of men were alarming the country by torch-light meetings." The duke concluded by remarking that it had become an annual practice to insert in the speech an an-

nouncement of the great tranquillity prevailing in Ireland. This announcement, then, as heretofore, he begged to be understood as distinctly calling in question.

Some discussion then took place between lord Colchester and the earl of Minto upon the propriety of omitting all mention of the state of the navy in the queen's speech; after which the earl of Winchilsea uttered a protest against the repeal of the corn-laws, and earl Roden threw out a few remarks on the absence of all "allusion in the speech to the situation in which the loyal population of Ireland was placed;" lord Melbourne next proceeded to address the house.

Although no mention had been made in the speech from the throne, of the laws regulating the importation of foreign corn, or of several other topics which had been noticed by the mover and seconder of the address, he admitted that it was not in any degree unnatural, considering the character of the present discussion, on the part of those noble lords, to have taken that course, and that it would be no less to be expected that, the subject having been mooted, other noble lords should be desirous of expressing their opinions upon it. For his own part, lord Melbourne said, that he should have been inclined to have pursued the prudent course of the duke of Wellington, and have abstained from touching upon these topics, were it not for an observation that had been made in process of the debate, that the mover and seconder of the address would not have introduced their sentiments upon the corn-laws, had not those sentiments been previously known and sanctioned by the government. "Now," continued lord Melbourne, "the corn-laws

have been, ever since the formation of the present government, an entirely open question, a question, on which all the various members of the administration have formed distinct opinions. Unquestionably, my lords, I believe, that the majority of these gentlemen are favourable to a change in the present system; I am not willing to go into any debate on the corn-laws on the present occasion, I wish to avoid it, but I have no reluctance to state my individual opinion on the subject—that opinion, which I have on a former occasion expressed, and to which I now distinctly adhere, is, that, though I am not prepared to pledge or bind myself to the maintenance of the present system as the best possible, I am not, at the same time, prepared, either as a member of parliament or of the government, to pledge myself, from any information which I have, to an alteration of the law as it stands.” After some remarks on the settlement of the dispute between Holland and Belgium, and on the Austrian treaty, and after soliciting the forbearance of the house with respect to the measures which were in progress in the east, until all the various circumstances connected with them should be disclosed, lord Melbourne proceeded to advert to the affairs of Canada. It was quite clear, he admitted, that a state of things did exist on the North American frontier greatly to be deplored, yet when they remembered the disposition exhibited by the various states there to interfere with each other's affairs, and the tendency to private warfare, it was one not greatly to be wondered at. He was a little at a loss to understand the ground of the duke of Wellington's complaint, that there had

been an absence of all vigorous demonstrations on the part of government in this quarter. There was in Canada a large establishment of regular troops, besides a very considerable militia force, “forming together an army powerful enough to laugh to scorn any attempt which might be made by the sympathisers.” When, however, they considered the character of the country, its innumerable and extensive lakes, forests, and morasses, it must be clear that it would be quite impossible to keep up such a force as utterly to prevent all sudden aggressions, and predatory excursions. He knew not, therefore, with reference to the province itself, what stronger measures could be adopted. With respect to the government of the United States, he agreed with the duke of Wellington, that every means should be taken to do that, which it is the duty of every government to perform; namely, to keep its subjects within its own frontiers, and to prevent bodies of men, the subjects of one state, making attacks on their neighbours in another. There was no reason, he apprehended, to doubt the sincerity of the government of the United States, in regard to its expressed desire to carry into effect the stipulations binding it, but considering the nature of the country, the vast extent of frontier, the comparative wildness of the border districts, and the character of the government itself, it must be admitted, that it had serious difficulties to contend with in carrying this object into effect. Every exertion, however, had been used, and every representation made, in order to induce the government of the United States to exert itself for this object.

Lord Melbourne then replied to the remarks made by the duke of Wellington on the last paragraph of the speech, in which allusions was made to the large meetings which had been held in various parts of the country, of a most lawless and dangerous character — meetings held by night, and at seasons the most favourable for disorder, and for the concealment of crime. At these meetings language of the utmost violence was used with a view to intimidation, and to excite the populace to acts of violence. Now the noble duke, he said, had charged lord John Russell with giving a sanction to those proceedings in a speech delivered at Liverpool. But lord Melbourne felt quite sure, that nothing could have fallen from his noble friend which could in any way be made use of in justification of the meetings in question, although he had, no doubt, on the occasion alluded to, expressed himself in favour of meetings held for purposes of public discussion. Lord Melbourne further declared, in reference to an allusion that had fallen from the duke of Wellington on the subject, that he disapproved of the Precursor society, as much as the noble duke himself could do. He had never approved of the catholic association, nor of its proceedings, "nor of any similar ones," as he conceived them to be calculated to supersede the authority of the law.

Lord Brougham differed from the duke of Wellington, in respect of the alleged negligence of the government of the United States to preserve peace on the frontiers. With no standing army, and no regular militia, and with a population sympathising with the wrongdoers, it was almost impossible for

the executive to prevent predatory incursions along so extended a line of frontier. With respect to the language said to have been used by lord John Russell at Liverpool, lord Brougham hoped and trusted, that the duke of Wellington had been misinformed. Perhaps it was not very prudent for a secretary of state for the home department, to say anything about the propriety of the people holding large meetings; but he was morally sure, that his noble friend could have said nothing by way of countenancing disorderly or rebellious assemblies. Lord Brougham said he had read the words of the speech in question: lord John Russell there observed, that it had always been the characteristic of a whig government, as it was of the present, to allow the people to meet in a legal and peaceable manner for the purpose of temperate discussion. Now, to show that his noble friend did not mean to extend his permission beyond legal bounds, he might remark, that within twenty-four hours of the time, when the fact of the torch-light meetings came under his notice, he issued a proclamation for putting them down.

Lord Brougham next addressed himself to Indian affairs. If he mistook not, one important branch of the conduct of the Indian government had not been fortunate enough to meet with the approval of the authorities at home. [*Here Lord Melbourne exclaimed, "Yes, yes!"*] He was sorry to hear it. He must then transfer his blame from the authorities in India to the authorities at home. He referred to that most culpable proceeding of the Calcutta government with respect to Oude.*

* See vol. lxxx. p 362.

Lord Melbourne—"Oh! as to that, you are quite right."

Lord Brougham would then re-transfer his blame to the authorities in India. But it was unfortunate that a government, one of whose most important acts had been formally repudiated by the government at home, should be destined to carry on one of the most extensive operations, both of policy and of war, which, he would venture to say, from the days of lord Clive or from the time when the fate of their eastern empire depended on the battle of Assaye, had ever been contemplated or executed by any English statesman in India. He would say nothing then of the capture of Karrak, nor on the negotiation with the Afghan princes, in violation of which that capture was effected; nor would he be carried into an argument on that singular process of reasoning, by which an Indian government thought itself justified in avowing in a proclamation to all the world, that because the king of Persia did something they did not like, therefore they would march an army to dethrone the king of Caubul.* Of these kings he would say nothing. He would not advert to the history of Caubul—to the kind of man now about to be set up—a pretender—a mendicant pensioner on our charity—a man twice dethroned because he was hateful to his people in Caubul; the only reason for preferring whom to Dost Mahommed, now on the throne, being that the one was the legitimate, and the other only the popular sovereign, whom the people preferred. Very different was their policy on this side of the Cape of

Good Hope, where they recognized particular sovereigns because they happened to be the choice of the people, while they countenanced the rejection of others, who, possessing a legitimate character, were expelled by their subjects. Our empire in India was founded on opinion—that had become a by-word and a proverb; but it meant nothing but the opinion—first, that the people were happier and better governed than they would be if left to themselves; secondly, that their foreign relations were regulated by justice; and lastly, the conviction entertained of their predominant power. He hoped sincerely that this opinion would not now be weakened by its being found that they had marched 600 miles to the north-west of India on a speculation of dethroning one king and putting another in his room.

After adverting to the condition of the island of the Mauritius, a crown colony, containing about 80,000 or 90,000 slaves, for the emancipation of whom he declared no measures had been taken, lord Brougham again returned homewards, and proceeded to the following effect:—"My lords, I have to say one word on that to which I have already incidentally adverted—the meetings and supposed illegal proceedings in Lancashire and the adjacent counties. My lords, I believe that the speakers, rather than the speech or the address, have somewhat exaggerated the extent of those disturbances; but I am far from saying that no ground exists for the observations made upon them. That speeches criminal, not to say insane, have been uttered by parties now in prison or about to be tried for misdemeanours, is undeniable; but it is equally true that these are not the only parts of

* For an account of these transactions the reader is referred to a succeeding chapter.

the empire in which illegal speeches have been made, in which lawless excitement has been attempted on an excitable race of people—a people many of whom we find are so ignorant, that they do not form their opinions for themselves, but suffer other men to think for them; who act as if the motive which sets their hands in motion to commit crimes hateful in the sight of God and man did not reside in their own bosoms, but in the form of some base, or sordid, or fanatical, or rebellious interest or wish, lived in the breasts of other men, and by those other men were instilled into the ears of their reckless and mechanical puppets. I well remember asking a high law authority in that country (Ireland), whether mortal man ever saw such a state of things in any country calling itself civilised as that existing in Ireland, where any one who was rich enough to give 20*l.* to another, might have his enemy's life taken away? To which he added, 'Provided he be also not only rich enough but extravagant enough to give 20*l.* for what he could get done for 20*s.*' Mylords," continued lord Brougham in allusion to the murder of lord Norbury, "it is only yesterday that an amiable and respected member of society, beloved by those about him, endeared to the bulk of his peasantry by his conduct as a landlord, was murdered—was shot at, as a beast, from behind a hedge; and no more idea seems to be entertained of discovering who did the deed, than if it were physically impossible to trace the steps of the assassin. I cannot help asking whether all can be well in the administration of the law and police in a country where such revolting scenes take place, and where the most impudent audacity, the most enor-

mous effrontery, coupled with the blackest malignity, endeavours to turn suspicion from the real assassin, and fix it upon one, in whom the deed would have been a crime of incalculably blacker dye—to think of which almost curdled the blood in one's heart? This is the last effort of factious and desperate audacity—of profligate falsehood—of an unprincipled and malignant nature. This last crowns the whole; and I earnestly hope that justice may be done, if not upon the murderer, at least upon those who only yield in infamy to the assassin of the father—I mean the assassin of the reputation of the son."*

Lord Brougham concluded by adverting to the corn-laws, an alteration of which he considered to be probable; at the same time he strongly condemned the practice of the present government in making almost every question of importance an *open* one.

After a few remarks from the marquess of Lansdowne, the address was agreed to.

In the house of commons the address was moved by Mr. E. Buller, and seconded by Mr. G. W. Wood. The speech of the latter of these gentlemen may be noticed on account of the singular inconsistency of argument which was observable in it. As a person eminent in the manufacturing interest, and high in the confidence of that body, it was pre-eminently Mr. Wood's mission in parliament to insist upon the repeal of the corn laws;† but

* In order that the foregoing passage of lord Brougham's speech should be understood, it is necessary to remark that Mr. O'Connell, at a public meeting in Dublin, was supposed to have insinuated that the present lord Norbury was a party to the murder of his father.

† Mr. Wood was chairman of the chamber of commerce at Manchester.

on the other hand it was no less incumbent on him, as seconder of the address, to make as favourable a representation as possible of the general prosperity of the country. But the alleged depressed state of the manufacturing interest furnishes the advocates of free trade in corn with their most effective argument. Mr. Wood, however, apparently forgetting his anti-corn law connexions in his desire to do himself credit by his speech on the address, came down to the house armed with tables and calculations to show that the manufactures of the country were in a healthy and improving state.

Two years ago, said Mr. Wood, great commercial distress, and the utmost uneasiness prevailed in all branches of trade. The house would be glad to hear that this state of things had passed away, and that the commerce of England at the present moment was in a most satisfactory condition. He did not recollect any former period of commercial embarrassment, at which the return to a state of healthy commerce, and of comparative prosperity, followed so rapidly on the depression. He did not think that the late commercial derangement proceeded so much from over-trading, as from a vicious system of banking. Mr. Wood then referred to a table, by which it appeared that the declared value of the principal articles of British produce and manufactures exported from the United Kingdom, gave an aggregate increase of 8,112,000*l.* over the average of the four preceding years, or seven and three-fourths per cent. In the cotton manufactures the increase was four per cent over the four previous years. In the export of cotton yarn it was no less than 20 per cent. There

was a decline in woollen manufactures of 6 per cent; a circumstance owing to the inability of America to take her accustomed quantity. In linen the increase was 19 per cent. In silk 2½ per cent. In hardware and cutlery he found a diminution of 13 per cent, in glass of 30 per cent, in refined sugar of 25 per cent, and in lead of 13 per cent. On the other hand, in earthenware the increase was 10 per cent, in iron and steel 37 per cent, in copper and brass 15 per cent, in tin in bars the increase was 10½ per cent, and in tin in plates 23 per cent; in sheep's wool the increase was 57 per cent, in salt 34 per cent, in coal and culm 59 per cent. His attention had also been called to the shipping interest, and he was happy to have it in his power to lay before the house particulars exhibiting the state of the shipping trade in England, which though represented a few years ago to be in a state of great embarrassment and adversity, had now assumed a vigorous condition, and was rapidly extending itself. Mr. Wood then read a statement in confirmation of this assertion. To come from foreign commerce to home consumption, the increase in cochineal was 30 per cent; in indigo 20 per cent; in timber 24 per cent; in coffee and cocoa there was an increase, while rum and brandy exhibited a considerable decline.

Having brought his panegyric to a close, Mr. Wood seems to have thought it expedient to say a few words in his other character. With respect to the corn-laws, he said, that that subject would demand a large share of their consideration at an early period of the session. The tranquillity of the country with respect to this question did

not arise from any indifference to its importance, but from a fortunate cheapness in the price of food. It was not to be expected that when the price of food doubled itself, the same quiet would continue. There was one peculiarity in the proceedings which had taken place throughout the country with reference to the subject. The excitement which then prevailed in regard to the corn-laws was not of a temporary nature arising from a casual advance in the price of bread—it was the demand of the intelligent middle classes of the merchants, traders and manufacturers of Great Britain. It was the voice of those who had great intelligence, integrity and patriotism, who had a stake in the country, and were as anxious for the prosperity of agriculture as of manufactures. It was not likely that the question, now fairly started could ever be laid aside. A deep alarm was beginning to be felt by our manufacturers at the foreign competition which was every year expanding itself. If such apprehensions were well founded, the only resource, if practicable, was a depression of wages; a result which would be most deplorable, and which it was the duty of the legislature to provide for by placing the manufacturers of this country without delay on as equal a footing as possible with those of other countries.

Mr. T. Duncombe then took occasion to address the house upon the many imperfections of the representative system as established by the reform-bill, and concluded by moving to add, by way of amendment, the following passage to the end of the address. "And to assure her majesty, that as the amendment of the representative system, enacted in 1832, has dis-

appointed her majesty's people, and as that measure is not and cannot be final, her majesty's faithful commons will take into early consideration the further reform of the commons house of parliament."

This amendment was seconded by Mr. Ward, who observed that the feeling of disappointment entertained by the great body of the people was one which, if the whole course of the last five years' legislation were looked at, would be found to be natural, necessary, and just. What he asked had the house of commons done for the poorer classes of its fellow citizens, since the passing of the reform bill? What remedial measures had been brought forward? Had they given cheap justice? Had they afforded cheap education? Had they attempted to interfere with the laws which controlled and checked the exchange of the fruits of the labour of our manufactories for food with other countries? They had done nothing of the kind. The only measure which the reformed house of commons had given to its poorer fellow citizens, was the poor-law amendment bill. Mr. Ward said he had always supported the principle of that act: he believed it to be founded upon sound and rational principles, principles most conducive to the real interests of the working-classes; but he maintained that a poor-law and a corn-law were wholly irreconcilable with each other, and could not be allowed to exist together. Looking at the course pursued since the passing of the reform bill, he believed that it was to the narrow and exclusive system of legislation which had been adopted and acted upon—to their sympathy with the few, and their want of sympathy with the many—and to the absence of any broad,

intelligible principle in the general course of their law-making—that a great portion of the lamentable excitement and agitation which now prevailed in many parts of the kingdom was to be ascribed. Look, said he, at the present state of the country, and let any man who had really considered it, say whether he had ever beheld society in so singular, so entangled, and, as he believed, so dangerous a state? There existed, throughout the whole of England and Scotland, in all the large towns without exception, a perfect system of organisation, formidable in its character and objects, comprehending almost all not included in the parliamentary franchise, and arrayed against those who had been admitted within the pale of constitutional rights. It was a combination of a peculiar character—a combination in which the wildest notions had been broached—a combination in which a severance between the working and the middling classes was proposed—a combination in which the rights of property were denounced. This combination was rapidly spreading throughout the whole of the kingdom: and yet they, the house of commons, the supposed representatives of the people, were told in the address they were now called upon to vote, that they were to treat all these things as matters scarcely worthy of notice—as matters which required no enunciation of principle—in fact, as matters which rendered it alone necessary for them to declare that they would be ready to assist her majesty in maintaining and enforcing the law.

After a few remarks from Mr. Handley in defence of the corn-laws, Mr. Hume went through a long catalogue of grievances domestic and foreign. The hon.

VOL. LXXXI.

gentleman, in particular, expressed great horror at the transfer of Luxembourg and Limbourg to Holland, which he inveighed against as a breach of all law, divine as well as human.

Mr. Brotherton denied the accuracy of Mr. Wood's statements, with respect to the condition of the manufacturing interests. The people he affirmed, were suffering from the high price of food, and their employers from a low rate of profits. It was not to be denied, but that the exports had increased, but that increase consisted chiefly of materials which were to supply foreigners with the means of manufacturing for themselves.

Mr. Heathcote said a few words in support of the corn-laws; and Mr. O'Connell announced his intention of voting with Mr. Duncombe, though, he admitted, he had expressed an opinion against a similar motion in the preceding session. But circumstances were changed, there had been an expression of popular feeling, and he bowed to it. Last year, too, he apprehended, that a similar resolution would have "disturbed existing relations," but in the present year he had no such apprehensions.

Sir Robert Peel next addressed the House at considerable length. He began by some remarks on the Austrian and Turkish treaties. The former of these transactions he contended, was nothing more than a continuance of the treaty of 1829. In the policy of the latter he concurred, but he was disposed to think, that the anticipated advantages were exaggerated. Sir Robert then proceeded to notice, the state of our relations with the Asiatic powers. He hoped, that the House would be furnished

[C]

with the fullest information respecting the causes which had led to our rupture with Persia, as well as to the accumulation of a large force on our north western frontier in India. He did not mean to utter one word in condemnation of the course pursued by ministers, all he required was information. Having read the paragraph in the royal speech, which referred to our relations with Persia, he said he could not detect any affinity between the speech from the throne, and the proclamation issued by the governor-general. The latter seemed to have more in view than the mere resistance of aggression. Sir Robert Peel then read the sub-joined passage from the proclamation.* Thus it appeared to be agreed, that the friends and enemies of Runjeet Singh, and the

* "After a serious and mature deliberation, the governor-general was satisfied, that pressing necessity as well as every consideration of policy and justice, warranted us in espousing the cause of Schah Soojah-ool-Moolk, whose popularity throughout Afghanistan, had been proved to his lordship by the strong and unanimous testimony of the best authorities. Having arrived at this determination, the governor-general was further of opinion, that it was just and proper, no less from the position of Maharaja Runjeet Singh, than his highness should have the offer of becoming a party to the intended operations. Mr. Macnaghten was accordingly deputed in June last to the court of his highness, and the result of his mission has been the conclusion of a tripartite treaty by the British government, the Maharaja and the Schah Soojah-ool-Moolk, whereby his highness is guaranteed in his present possessions, and has bound himself to co-operate for the restoration of the Schah to the throne of his ancestors. The friends and enemies of any one of the contracting parties, have been declared to be the friends and enemies of all."

Schah Soojah, should be the friends and enemies of England. Now to that sort of engagement on the part of the British power in India, he could not give his sanction. Further, the proclamation contained a sort of guarantee, that the British army would not be withdrawn until Schah Soojah should be secured in power, and the independence and integrity of Afghanistan established. It was well to recollect, that this prince had been deposed in 1809, and remained excluded from the throne ever since, though on one occasion he had endeavoured to re-establish himself at the head of 20,000 men. The principle involved in the attempted restoration of Soojah, was the same as it would be in the endeavour to re-establish the deposed branch of the Bourbons to the throne of France, with this difference, that the Schah had been for thirty years dispossessed of the crown. In the years 1831 and 1832, the Government of India had sent officers of great intelligence to report on the state of Afghanistan, one of whom, captain Burnes, had said, that the total overthrow of the dynasty of the late king, was universally attributed to his pride and arrogance, and that he might have regained his power, but for the insolence he displayed before he was firmly reseat on the throne. The whole of the wealth of the country was in the hands of those who were inimical to his interests, and the bulk of the people attributed to him all their misfortunes. Captain Burnes had therefore inferred, that the restoration of the Schah was the most improbable event which could occur. Now the account of the state of these countries thus furnished by this offi-

cer, was the only one in existence which possessed any authority, and yet the governor-general had publicly declared, that he had entered into a guarantee to restore and maintain this sovereign by the interference of the British arms.

Sir Robert Peel next entered at some length upon Canadian affairs, and the supine conduct of the government of the United States in permitting as it did, the existence of the border outrages without any efficient attempt to restrain them. He then proceeded to make some observations on the corn-laws; and here, as might be expected, Sir Robert did not fail to seize upon the advantage which Mr. Wood, in his most unwary speech, had thrown in his way. He thanked the hon. gentleman for the opinion which he had expressed, and the views which he had taken upon that important topic, and which he believed would carry the greater weight from the high authority of the hon. gentleman upon such matters. He was exceedingly obliged to him for the clear manner in which he had expressed himself, and for the very able speech which he had delivered in favour of the existing system. Coming as this speech did, not only from the seconder of the address, but from the chairman of the Chamber of Commerce at Manchester, nothing could go farther to confirm those who were favourable to the continuance of the present state of things in their opinions, and to awaken the doubts and suspicions of those who had been hitherto desirous of an alteration.

Mr. Wood's argument was quite complete in all points; had he only stated that he was about to prove that there had been a pro-

gressive increase in the exports, he might have been met by the objection, that though it might be true that the mere quantity had increased, yet that the relative value had diminished, and that, therefore, the argument had no weight; but the hon. gentleman had taken care to give the declared value; he had said, "I will not take former years, when other systems were in operation, but I will select the years 1834, 1835, 1836, and 1837, and I will compare the exports of 1838 with those of four years under the same system of corn-laws; and I will show you a progressive increase, not only in manufactured commodities, but in the real declared value amounting to three millions and a half. In 1837, it is true, you had a depression, but that was not owing to the corn-laws, but to the operation of the banking system, and the instant that was removed, the ligature which bound us to the ground was cut, and in 1838 we rose buoyant." Sir Robert Peel then entered into some statements of his own showing a considerable increase in the export of certain commodities. For instance, the export of cotton yarn in 1829, was 57,000,000 pounds, in 1830, 62,000,000 pounds, in 1831, 58,000,000 pounds, and in 1838, 113,000,000 pounds. A similar progress was exhibited in cotton thread, hosiery, calicoes, and silk. Returning to Mr. Wood, sir Robert observed, that that gentleman's account of the shipping interest was equally satisfactory with that which he had given of the manufactures, and the question, therefore, was, whether the British parliament should be so alarmed by what was the inevitable consequence of a

bad harvest, as rashly to accede to a proposition which must materially affect the agricultural interests of the country, after having received from the president of the Chamber of Commerce at Manchester, an assurance that the commerce and manufactures of the country were in a most sound and stable condition.

The next topic to which sir Robert adverted was the paragraph in the royal speech relating to the illegal meetings. Having read several extracts from seditious speeches delivered by Mr. Stephens, Dr. Wade, and Mr. Feargus O'Connor, he quoted the following passage from lord John Russell's speech at Liverpool, on the 3rd of October. "He alluded to the public meetings which were now in course of being held in various parts of the country. There were some, perhaps, who would put down such meetings, but such was not his opinion, nor that of the government with which he acted. He thought the people had a right to free discussion which elicited truth. They had a right to meet. If they had no grievances, common sense would speedily come to the rescue, and put an end to these meetings." [Lord John Russell here interposed to say, that he had added a qualification.]

In continuation, sir Robert remarked that although these sentiments might be just, and even truths, yet the unseasonable expression of truth in times of public excitement was often dangerous. And he, therefore, exceedingly regretted that since the noble lord had accompanied the declaration made in favour of these meetings, with a qualification, that qualification had not received equal publicity with the rest of his speech.

Sir Robert concluded by some remarks on Mr. Duncombe's amendment, to the first part of which, stating that the measure of 1832, had disappointed the expectations of her majesty's people, he did not dissent. The reform bill had failed to give permanent satisfaction, as he had throughout predicted would be the case: and he well knew that a concession of further reform in the expectation of producing satisfaction or finality would be only aggravating the disappointment, and that, in a few years, they would be encountered by further demands.

Mr. Villiers condemned sir Robert Peel for consenting to take up "the miserable and fallacious arguments of the hon. member for Kendal (Mr. Wood)." The case was simply this. Mr. Wood referred to the increase of our exports, and argued from thence that our trade was flourishing. Sir R. Peel possessed himself of this argument, and endeavoured to deduce further from it that the corn-laws had not endangered our foreign trade. But what the opponents of the corn-laws alleged was, that our competition with foreign markets was endangered by the high price of provisions in this country; that in all articles requiring manual labour, we could no longer compete with foreigners, though we could still do so in articles manufactured by machinery. The consequence was, that our exports in the former class were decreasing, and in the latter increasing to a certain extent. But a further consequence was, that machinery was in a course of exportation from this country, and our artisans were leaving home to become dangerous rivals abroad.

Moreover Mr. Wood had not

informed the house whether the increased exports, of which he boasted, had found their way to European markets, or to our own colonies. He was glad that this was the point upon which the question was to turn, because it came in support of the motion of which he had given notice, for hearing evidence at the bar of the operation and effect of the corn-law monopoly, an investigation which he thought could hardly be refused by those who pretended to enter upon this view of the question.

Lord John Russell, after a few unimportant observations on what had fallen from preceding speakers on the subject of Holland and Belgium, India, and Canada, gave the following explanation of his so much censured speech at Liverpool. Remarking, in the first place, that there were no regular reporters present when it was delivered, he stated the substance of what he said to have been, "that whilst the government was disposed to give every latitude to the free discussion of public questions, yet that this liberty must not be used to the infringement of the laws of the country, or of the liberties of her majesty's subjects." He had particularly in view, at the time, the subject of the poor-law, which he was anxious should be freely and openly discussed. But when attempts were made to abuse this liberty, and to excite people to physical violence and the use of arms against the laws—no sooner was this the case, than he consulted the law officers of the crown, and had all along proceeded in conformity with their advice.

With respect to the corn-laws, lord John stated, that he thought that the time had arrived when it

should be considered whether the present system acted beneficially or not.

In the course of his subsequent observations upon Mr. Duncombe's amendment, the noble lord declared that he felt neither surprise nor disappointment at the discontent expressed in certain quarters in regard to the reform bill. When that measure was proposed by lords Grey and Spencer, it was intended as a permanent settlement of the question. Those on the other side of the house opposed it as a dangerous innovation; while a third class accepted it, not as a complete measure, but by way of instalment. It was therefore, he repeated neither matter of surprise nor disappointment to him that these persons pressed for further alterations in the representation. "The opinion of the majority of the people," continued lord John, "is, I do believe, against progressive reforms in the representation, of which the effect would be only to introduce endless uncertainty, and incessantly to revive all those agitating circumstances, which, it may be recollected, impeded all the operations of commerce in the years 1831 and 1832. And I further believe, that having gone through the struggle for the reform bill, they do not think it would be for their interest to go on adopting fresh changes, to be made in their turn the foundation of still further alterations, and to end in a plan for universal suffrage. We, as a government, think it right to stand by the declarations of Lord Grey and of Lord Althorp; we are not ashamed to be the followers of such men, and by their principles we are contented to abide."

Mr. C. Buller defended the government of the United States with

respect to the Canadian transactions. That government, he contended, had done all that could be done. It had passed a law of neutrality, and kept it more strictly than we had done. It had prosecuted and convicted several gentlemen who had infringed that law, and had doubled its army in order to enforce it. The opinion of the American people, from one end of the country to the other, was decidedly with us. The sympathisers dared not hold a meeting in any town of the United States, and in the country anti-sympathising assemblies were held. The invaders of the Canadas were a mere set of marauders, and no government could restrain such men from embarking in lawless expeditions. The hon. gentleman concluded by announcing his intention of supporting the amendment.

The house then divided on Mr. Duncombe's motion—ayes 86; noes 426: majority 340. The original motion was then carried without a division.

On the following day (6th February) the sessional orders were read, according to the usual practice. After the speaker had concluded the order which declares the interference of peers at elections to be "a high infringement of the liberties and privileges of the commons of the United Kingdom," Mr. Hume rose to move that this order be omitted from the series, as being utterly futile and constantly disregarded.

The motion was seconded by Mr. O'Connell.

Lord John Russell admitted that peers were in the practice of interfering at elections to a certain extent. But still their mode of interference was very different from that of commoners; and he re-

mind the house that, by rescinding the order, they would be virtually declaring that peers thenceforward might take the open and active part in electioneering proceedings which were at present confined to commoners.

The house divided upon the question that the order should remain—ayes 157; noes 18: majority 139.

When the report upon the address was brought up, Mr. O'Connell observed that he was desirous of saying a few words upon the transfer of Limbourg and Luxembourg. Those territories had belonged to Belgium since the time of Charles V. The first occasion on which they were separated from her was when they were turned into departments by the French republic, and now, the French dominion having ceased, they ought to revert to Belgium. It had been asserted by lord Palmerston that the king of the Belgians had assented to the transfer of these provinces to Holland. But this statement was not correct in substance. By the treaty of November, 1831, founded upon the twenty-four articles, the five powers came to a definite agreement, which, it was quite true, had met with the concurrence of the king of the Belgians. But the condition of that treaty was, that it should be ratified within two months or be void. The king of Holland having refused to sign it, it was never executed. How then could that prince now claim the benefit of a treaty to which he had formally refused his assent? But this was not all. In 1832, the five powers having agreed that the execution of the treaty should, if necessary, be accomplished by force, Belgium applied to them to take measures

for giving it effect. France and England admitted, that they were bound to enforce it, but Austria, Prussia, and Russia declined to interfere; and on that occasion, the 2nd of October, 1832, the conference was dissolved. What had Belgium gained by the treaty? Her object, in assenting to it from the beginning, was to avoid the expenses of a war; but she had ever since been compelled to keep up a war establishment, in consequence of the hostile attitude assumed by Holland. Now, indeed, the king of Holland discovered it to be his interest to assent to the treaty, but the time had gone by. It seemed therefore to be one of the greatest cruelties ever committed that the five powers should impose terms on Belgium, which had been virtually abandoned.

Mr. O'Connell then alluded to lord Norbury's murder, and discharged some coarse and clumsy abuse at lord Brougham, in retaliation for the learned lord's invective of the preceding evening in the house of lords.

Lord Palmerston, in reply to Mr. O'Connell's complaints on the Belgian question, observed that by the treaty of Vienna, Limbourg was annexed to the Seven United Provinces. Luxembourg was constituted a separate sovereignty, as a grand duchy, to be held by the same individual who should be king of the Netherlands; but, by a separate title, and transmissible in a separate line of succession. The kingdom of the Netherlands went to the heirs general of the king, while Luxembourg would descend to the heirs male only, and, in case of their failure, to the house of Nassau. The king of the Netherlands, in that character, was not a member of the German confede-

ration, but as grand duke of Luxembourg he was a member; and when the grand duchy was formed, it became subject to the federal constitution, and to the regulations which bound the members of the confederacy. When the revolution broke out, it extended to Luxembourg. The king of the Netherlands applied to the five powers for aid. It was ultimately found that the only way of arranging the difficulties between Holland and Belgium was a separation. But the powers did not feel themselves competent, nor were they competent, according to the treaties which governed the relations of the states of Europe, to deal with the question as regarded Luxembourg. The German confederation had full liberty, if they thought fit, to employ force in order to re-establish the grand duke in his rights. It was one of the fundamental rules of the confederation, that no territory could be alienated to another state without the consent of the diet. In the progress, however, of the negotiations, the Belgian government expressed a strong desire that a portion of Luxembourg and Limbourg should form a part of Belgium. The five powers had no objection to this, provided the consent of the diet could be obtained. The diet gave the required permission, on condition that some equivalent portion of territory should be ceded by Belgium in return for what was detached from the duchy of Luxembourg. To these terms the Belgian government consented, and the conference negotiated an arrangement, by which it was agreed that for the incorporation of part of Luxembourg in the kingdom of Belgium, an equivalent should be provided by the latter state. This arrangement

formed part of the twenty-four articles. Now it was perfectly true, as stated by Mr. O'Connell, that the twenty-four articles were accepted by Belgium and not by Holland. But when these articles were incorporated into a regular treaty between Belgium on the one hand and the five powers on the other, then that treaty became a binding instrument on the contracting parties; and it became a matter of indifference, so far as regarded the obligation of the treaty, whether or no the king of Holland had or had not accepted the twenty-four articles. The five powers were entitled to keep Belgium to the terms of the treaty, and Belgium was in turn entitled to claim their observance of it. Mr. O'Connell had said that the five powers did not all concur in putting the treaty into execution. He (lord Palmerston) admitted that three powers declined to be parties to a particular mode of giving it effect; but in no respect, by such refusal, were they to be understood as calling the obligations of the treaty into question. The Belgian government had, on various occasions, appealed to the treaty as the charter of its rights; and it was preposterous that after so regarding it for eight years, they should turn round upon Europe, and declare, because it happened to suit their convenience, that the fundamental articles of the treaty were of no obligation upon them. Mr. O'Connell had said, that the mere lapse of time should be considered to have invalidated the treaty—that the Belgian government, by being forced to keep up a large war establishment, had enjoyed none of the advantages which were in contemplation when they acceded to the articles. This he was ready to admit. But the Con-

ference had proposed, and Holland had agreed, that, in consideration of these extraordinary war expenses, a debt due from Belgium to Holland, amounting to 68,000,000 florins or 5,000,000*l.*, should be extinguished. It was true that Belgium continued in possession of the disputed territories, but she did so upon sufferance. So far from its being an injustice in the five powers to refuse to add Luxembourg to Belgium, it would have been an act of the grossest oppression if they had consented to make a violent seizure of that territory for the purpose of transferring it. So far, therefore, from the conference handing over 300,000 men to a sovereign whom they objected to, all that was done was to leave matters as they were settled at the congress of Vienna.*

In reply to a question from sir R. Peel, lord John Russell said, he had no hesitation in declaring that it was the intention of ministers to bring forward a measure, in the course of the session, for the settlement of the affairs of Canada.

Notwithstanding the hostility which lord Durham had expressed against ministers, when he threw up his post in Canada, in the manner described in the preceding volume, and notwithstanding his often repeated declarations of his determination to bring the whole subject before parliament, at the earliest opportunity, it soon became apparent, that a negotiation of an amicable nature, was on foot between the ex-vice-roy and the ministers. Nor had parliament been assembled more than three days, before some of the conditions of this treaty of amity began to reveal themselves. On

* See vol. lxxx. p. 461.

the 8th of February, lord Glenelg, the secretary for the colonies, after informing lord Brougham, that a despatch had been forwarded by the governor of the Mauritius, requesting him to take measures for bringing the apprenticeship system in that island to a close, proceeded in the following terms:

"My lords, I will take this opportunity of saying a few words referring to myself personally. Although I have answered the question put by my noble Friend, under the idea that I was responsible for the measures of the government, I am not at this moment any longer in possession of office, having felt it my duty to tender my resignation to her majesty, which her majesty has been pleased graciously to accept this day. I make this communication with a full sense of the peculiar inconvenience of such a step as that to which I have alluded at this period, and with a consciousness that it may cause great delay in your lordships' proceedings, and cannot but produce considerable embarrassments. But, my lords, in a few moments I can state the reasons which induced me to come to this resolution. A communication was made to me on Tuesday morning, utterly unforeseen and unexpected by me, which involved—it was a communication from the cabinet—which involved alterations in, and a fresh disposition of, office—utterly, as I before said, unexpected on my part, but which it was said, had been resolved upon. To that change in the disposition of office, after the maturest consideration, I found it impossible for me to accede; consequently I felt it my duty to tender my resignation. Among my regrets on this subject, it is painful for me that this event

should take place at such a moment as this, when colonial subjects occupy so much of the attention of Parliament. But, I can truly say, that no other reason but the necessity under which I felt myself placed could have led me to such a step; in fact, I found no other alternative before me; I had but one course to pursue. At the same time, any of those measures connected with colonial affairs, which I have been instrumental in carrying into effect, I shall, of course, be ever in my place ready and anxious to support; and I shall always be ready to give any information, and supply any explanations which it may be in my power to give with respect to the discharge of that duty which has been intrusted to me."

Little further explanation of the circumstances which attended this transaction, has hitherto been afforded to the public. It was generally understood, that the office to which the noble colonial secretary found himself about to be transferred, was that of privy seal, a shelf—however dignified a one—from official toil, on which he did not seem inclined to take his repose.

There certainly may be grounds for thinking that lord Glenelg was hardly equal to the fatigues and extensive responsibilities of his department, and we might be less disposed to complain of the fact, than of the mode of his deposition. But it cannot, we believe, be affirmed, that any such reason existed for the removal of Sir George Grey, the under secretary for the colonies, and yet this gentleman, intelligent, industrious, and most popular in the House of Commons, was doomed to follow his

chief, and to accept the office of judge advocate. Lord Glenelg's successor was the marquess of Normanby, Mr. Labouchere becoming under secretary in the room of Sir George Grey.

On the 8th of February, the earl of Aberdeen put a question to lord Melbourne regarding the treaty lately concluded with Austria.* The fourth article of that treaty stipulated, that British should be placed on the same footing with Austrian vessels in certain parts on the Danube, which did not form part of the Austrian dominions. What security therefore, had they that this stipulation, requiring the concurrence of a third party, could be carried into effect?

Lord Melbourne was understood to say in reply, that another treaty would be required to give full effect to the arrangement.

Lord Durham's report on the state of the north American provinces, was at length brought before the public under very singular circumstances. While ministers were deliberating whether the whole or any part of it, should be presented to parliament, it suddenly made its appearance in the "Times" newspaper. How it came there, no one professed to know; but on the 8th of February lord Durham enquired of lord Melbourne, how soon the papers connected with the north American provinces could be produced to Parliament. He said, he was induced to ask this question more particularly, because he had seen with the deepest regret, a publication of a part, and a part only of the report.†

Lord Durham then shortly adverted to the attacks which had been made during the preceding session, on account of the extravagance of his outfit, and of the expenses of his mission. In order that there might be no mistake on that subject, he begged to state, that every shilling of the expenses which could relate to himself personally, and all those items, upon which so much stress had been laid, had been defrayed out of his own purse. His position therefore would be this—that he had not received any salary for his services, that he should incur a loss not far short of 10,000*l*.

Lord Melbourne said, he could not account for the appearance of the report in the newspapers. It was impossible for him to comprehend how it had got there, but he lamented it exceedingly. There was now an end of all deliberation, with respect to the question as to whether it should be laid before the House or not.

The Earl of Wicklow here remarked, that a rumour was current, that the report in question had been sent to the "Times" by the earl of Durham himself; to which lord Durham replied, that it was not very natural that he should communicate with a journal in which he was seldom mentioned in terms of commendation.

The Marquess of Londonderry then put a very pertinent question to the noble earl. He wished to know when he meant to bring forward a discussion on the affairs

explanation of the circumstances under which the editor obtained possession of this document than the following. "We have received a printed copy of the report &c. It has not we believe, been yet delivered to the members of either house of parliament."

* Vol lxxx p. 470.

† The conclusion was the first portion of the report published in the newspapers. The "Times" gave no other

of Canada? But the latter, much cooled apparently since his return, replied, that he did not know that he was at all in a position to answer that question. He had given an account of his mission, and that report it was for their lordships to decide upon.

On the 11th, the papers relating to lord Durham's mission were presented to parliament. In laying them on the table of the upper house, lord Melbourne observed, that he wished to say one word expressive of the feelings of her majesty's ministers, both with respect to the urgency of this question, and also as to the absolute necessity of introducing, without any further delay, some measure which would put an end to the state of things now existing in Canada. Now that ministers were in possession of lord Durham's suggestions and opinions, they meant to lose no time in the matter; and he hoped, that before Easter, they would be able to introduce a measure calculated to establish a firm government there.

The attention of the house was then called by lord Wharncliffe to the mysterious publication of lord Durham's report. When this matter, he said, had been referred to the other night, both lord Melbourne and lord Durham had declared, that they had seen that publication with the greatest surprise. Now if it were true, that those papers were printed several days before they were published, it seemed extraordinary, that this surprise should exist. Could any body who knew that the papers were printed, be so very short sighted as not to perceive, that they must find their way into the newspa-

pers? He must express his regret, that anything should have been done, which expressly and purposely had taken away from her majesty's government the means of considering that report before it was made public. It was most dangerous, that the statements contained in that report should have been communicated to the public by such a channel. Lord Durham repelled what he considered to be lord Wharncliffe's insinuations with some warmth, and declared that what he had said on the preceding night, had been utterly misrepresented. He had never expressed surprise, that the report should have been published, but he had expressed his regret, that a portion only should have been laid before the public. After entering into some details respecting the preparation and printing of the report, lord Durham went on to say, that having received from a member of the cabinet official permission to do so, he confidentially communicated the report to a few of his friends. This was all he knew of the transaction.

Perhaps the reader will think, that this confidential communication to half a dozen friends is quite sufficient to explain the mystery attendant upon the publication, as well as perhaps lord Durham's extreme anxiety to disclaim the use of the word surprise, when speaking of the appearance of the report. It should however, be stated, that 2,000 copies were, as lord Durham alleged, printed, while ministers were still undecided as to what course should be taken with regard to it.

CHAPTER II.

Corn-Laws—Petition against their continuance—Motion on the subject in the House of Lords by Lord Brougham—His Speech on this occasion—Enumeration of Disadvantages attending the present System—Danger of Famine—Fluctuations of price—Obstacles to Foreign Trade—Motion opposed by Lord Melbourne and the Duke of Wellington—Negatived without a Division—A similar Motion is made by Mr. Villiers in the House of Commons—Able Speech of that Gentleman on the occasion—Effect of the Corn-Laws on the Manufactures of the Country—Growing competition of Foreign Workmen—Retaliatory restrictions on the part of Foreign Governments—Diminution of the amount of our Export, especially in the instance of Germany—Motion seconded by Mr. Strutt—Opposed by Sir Francis Burdett—Statements in support of the Motion by Mr. Mark Philips—Lord Howick objects to the proposed enquiry, which is advocated by Mr. Poulett Thomson—Opinions of Lord Stanley and Lord John Russell—Able Speech of Sir Robert Peel in opposition to the Motion—He controverts the alleged fact of the decline of our Manufactures—Mr. Villier's Reply—Division on the Motion—It is rejected by a large Majority.

WE have alluded in our preceding chapter to the efforts which were made in various parts of the country, to excite discontent with the existing restrictions on the importation of foreign corn. A great number of petitions on the subject were in consequence presented to both houses of parliament, and on the 18th of February, lord Brougham rose to move that they "be referred to a committee of the whole house, and that evidence be heard at the bar." In a very luminous speech he stated consecutively the facts which he intended should be

proved, and went at some length into reasoning founded on them.

The first point to which his lordship adverted was the ruinous insecurity of the present corn trade to those engaged in it; a trade "which shifts like the rapid river's course every night, following the winds and weather of the twenty-four preceding hours—a trade more unfit for merchants to embark in, more unfit for fair speculation—more unseemly for the employment of mercantile capital cannot well be imagined—for needy hungry adventurers, for persons without capital it may do well,

The next topic embraced the important question of the effect likely to be produced on prices by a relaxation of the present restrictions. Lord Brougham admitted, that in his opinion, the fears of the one party and the hopes of the other, had exaggerated the cheapness which would ensue. For instance, in Dantzic the price of wheat was 36*s.*, and adding about 10*s.* for costs, 46*s.* would be the price at which that wheat could be sold in our markets. But it was here 55*s.* or 60*s.* In Malta, the average price of wheat for ten years ending 1836 was about 32*s.*, which, with the addition of 15*s.* 6*d.* for expences, would give 47*s.* 6*d.* or 48*s.* as the price at which wheat from Malta might be purchased in England. Again, when the Dardanelles are open, wheat may be had at Odessa for 30*s.*, and might be sold in this country, including charges, at 45*s.* 6*d.* Lord Brougham, upon the whole, did not anticipate that the fall in prices consequent upon a free importation of corn would exceed 5*s.* the quarter. But it might be said that as soon as our ports were opened to foreign corn the supply would be commensurate with the demand, and that unbounded tracts of unproductive land would be brought into cultivation for the purpose of supplying the English markets. The demand from this country, therefore, would have no effect in raising the prices on the continent, and we should have corn here at least as cheap as it is at present at Dantzic or Malta, making allowance for the expense of transport. This, said lord Brougham, certainly might happen, but he was prepared with evidence to show the difficulties attending any such

sudden alteration. How could the land be brought into immediate cultivation, which was now over-spread with thick and impenetrable forests? How difficult would it be to get hands to cultivate it? How little land existed capable of cultivation except towards the remote recesses of Volhynia and the Ukraine, which it was almost impossible to reach at present. It was certainly barely possible that in the course of years, the extension of agriculture under consideration might take place, but a long period must elapse before its effects would be felt in the markets.

But, proceeded lord Brougham, although no great alteration in prices was to be expected, yet among the inevitable consequences of a free trade in corn would be found a security against famine, to the risk of which the present system continually exposed us. It was almost a physical certainty, that looking at different countries of the world, we should never find at the same time an universal failure of the crops, or an universal abundance. What then, he asked, does the corn-law do, but strike all other countries out of the calculation, and in a time of scarcity, leave the nation to a certainty of famine. It confines our chances to one country, to one kind of weather. But this could not be the case if the whole of Europe were open to supply us, and our chances against famine would be still greater, if the East and America were opened to us, then, indeed, we might say, if there be a free trade in corn, there can be no scarcity with us, because we should be well off, if any of those countries were well off. There would be all the difference between famine and dearth. Dearth, the

consequence of a bad season, could not be avoided, but did not man interpose his luckless hand, that dearth could never be converted into famine.

The next great mischief of the corn-laws, as affirmed by Lord Brougham, was the fluctuation of prices which arose out of them. When the present act was passed, it was asserted by its promoters, that they had no wish to raise the price of wheat, all they wanted was steadiness of price. That the present system had failed to secure that object, lord Brougham proceeded to show in the following manner. He first took 17 years from 1773 to 1790 in which the fluctuation was not more than 2*s.* or 2*s.* 6*d.*, or 4½ per cent. Omitting, for reasons which he mentioned, the following fifteen years, he next brought under consideration the period from 1815 to 1828, which was after the late corn-law bill (sir Henry Parnell's) had begun to take effect. At this time, the least fluctuation was 11½ per cent., and the greatest 70 per cent., during one single year. The latter variation took place in 1816.* In 1817, the fluctuation was 52 per cent. The next year it amounted to no more than 16 per cent., then 23 per cent., and in 1819, 36 per cent. That brought him to 1820, when Mr. Peel's bill passed, since which the mint price of gold had never varied from 3*l.* 17*s.* 10½*d.* per ounce. Here, then, was an end of all con-

nection between the variation in the price of corn and the currency; yet in 1821, the fluctuation was 53 per cent., in 1822, 32 per cent, in 1823 (not a year of scarcity), 56½ per cent. In 1825, 13 per cent. In 1826, the same. Yet it might have been thought that these two years, one marked by immense speculation, and the other by extreme distress, would, if any, have given rise to the greatest variations. This clearly showed, that the fluctuation did not depend on the commercial state of the country. In 1828, it was 46 per cent., in 1829, 33 per cent., and so on till 1836, when it was no less than 71 per cent. From 1832 to 1838, the ports were shut and the corn-laws in free operation.

Lord Brougham then came to another view of the subject—the inequality of prices in different parts of the world, which arise out of our corn-laws. The consequence of our not taking corn from those countries which have no other commodity to offer, is to render corn unnaturally cheap in other countries, and to create a greater difference than nature would make between the price of corn in England and elsewhere. Consequently, it has a tendency to make a greater difference than would naturally exist between the price of labour here and elsewhere, and hence to make a greater difference than is natural, between the prime cost of producing manufactures here and abroad, thus giving an obvious advantage to the foreign manufacturer.

Another evil of the corn-laws was the exclusion of our manufactures from countries, which having nothing but corn to offer in return,

* Lord Brougham at first stated the maximum fluctuation as high as 94½ per cent. But upon some observations of lord Lansdowne and the duke of Wellington relative to the state of the currency in 1816, he reduced his calculation to 70 per cent.

were unable to become purchasers from us.

Lord Brougham then proceeded to call the attention of his hearers to the formidable competition which the British manufacturer had to encounter on the continent; but as this branch of the argument was more fully considered by Mr. Villiers in his speech in the house of commons on an occasion which we shall presently have to notice, we avoid following lord Brougham through the details of this part of his address.

The duke of Buckingham, earl Stanhope, and the duke of Richmond, spoke in opposition to the motion.

Lord Melbourne thought that the plan proposed by lord Brougham was the worst possible. He declared that had he wished to postpone the measure—to avoid a parliamentary discussion of the question—to perplex and puzzle it—had he wished to embarrass it with an inextricable maze of conflicting facts and opinions—he did not know a better mode of effecting such a purpose, than was involved in the proposed inquiry at their lordships' bar. The question of these laws was not a new one, but their operation, influence, and the conclusion to be drawn from their effects, were as well known to the house, and could be as well determined by their lordships with their present information, as they possibly could be after hearing all the evidence proposed to be taken at the bar. The present motion, if agreed to, would have no other result than the obstruction of the business of the house, which would find itself engaged in interminable disputes and inquiries involving a vast variety of subjects. In point of fact, it would be an inquiry into

the state of the nation. New facts were not so much required, as inferences from those they already possessed.

The duke of Wellington said, he believed the proposed mode of enquiry to be entirely without a precedent. He did not believe there was an instance to be found of a committee of the whole house for the purpose of receiving petitions, and taking them into consideration by the examination of witnesses at the bar. He concurred with the duke of Buckingham in thinking that the necessity of discouraging the notion, that they intended to make any concessions on the main question, was in itself sufficient ground for refusing the proposed enquiry. Our agriculture had enjoyed the protection of the corn-laws for thirty-five years, a fact which was alone a reason for proceeding with great caution. Many persons, no doubt, were of opinion that an alteration should be made from a shifting, to a permanent duty. But it should be recollected that the reduction of the duty even a trifle too much, might involve the country in the utmost difficulty, by rendering the cultivation of the soil impossible, and thereby ruining a vast class of industrious, and at present happy people. It would be found, that a very small importation of corn into this country had, at different times, produced very extensive distress amongst the agricultural interest. The law, as it stood, was established for the protection of agriculture, which, without that protection could not prosper. Lord Brougham had taken great pains to show, that the present law had not ensured an uniformity of price: but it was difficult to see how an uniformity of price was to be en-

sured upon a commodity, the price of which must, of necessity, vary with the produce. But in point of fact, the variations had not been so extensive as lord Brougham, picking out particular days of particular years, had asserted. The average price of 1828, was 64*s.* 6*d.*; of 1829, 67*s.* 6*d.*; of 1830, 66*s.* 10*d.*; of 1831, 72*s.*; of 1832, 61*s.* 2*d.*; of 1833, 66*s.* 5*d.*; of 1834, 54*s.* 9*d.*; and of 1835, 42*s.* 3*d.* The average of those ten years being 56*s.* 4*d.* Lord Brougham had also contended, that the effect of the corn-laws was pernicious to the corn-trade. Now, he begged to state, that in the twenty years which elapsed from the year 1815 to 1835, there were imported from foreign countries into Great Britain, 8,428,589 quarters of wheat, making an average of 401,361 quarters a-year. This importation, even upon the averages was very considerable, but in years of scarcity it was enormous. In 1829, for instance, it amounted to 1,000,029 quarters; in 1830 to 1,000,493 quarters; and in 1831 to 1,000,034 quarters. Besides this quantity of wheat, there were 394,695 cwt. of foreign flour imported.

The motion was negatived without a division.

On the following day, the question was debated in the house of commons. Mr. Villiers moved, that certain persons "be heard at the bar of the house by their agents, witnesses, or counsel, in support of the allegations of the petition presented to the house on the 15th instant, complaining of the operation of the corn-laws." After some remarks on the substance and the importance of the petition, coming, as it did, from the principal manufacturing towns, Mr. Villiers proceeded to consider the

effect of the corn-laws upon the manufacturers and commerce of the country. From 1770 to 1814, England had the monopoly of the cotton trade, and we had nothing to apprehend from competition in any quarter. What was now the case? America consumed in manufactures 320,000 bales of cotton; France 350,000; Switzerland 50,000; and 150,000 were taken by other countries, making a total of 870,000 bales, which nearly equalled the entire consumption of England. Here then it was sufficiently apparent, that though we had the monopoly in this trade but little more than twenty years ago, we possessed it no longer. It was also apparent, that other countries had been able to stand their ground, and were now fairly launched in the world in competition with us. Hence, we had to consider, not whether we could retain a monopoly, but whether we were in a condition to run an equal race: and it was for those who contended, that we were ever destined to excel, to explain how it happened that the manufacturers of other countries had increased in a greater ratio than our own, and how, if we did not proceed on equal terms, we were to maintain our ground at all. It was then expedient to consider, whether we were on equal terms with these countries. Now, in comparing ourselves with America, we find her possessed of two great natural advantages, proximity to the raw material, and cheapness of power. These had been made the subjects of precise calculation. The proximity to the raw material is estimated at $\frac{1}{4}$ per pound, which is equal to about 7 per cent., while the difference in the water power and steam power in the United

States and here, is as 3*l*. 10*s*. to 12*l*. 10*s*. per horse. Those were the natural advantages of America. We, however, not satisfied with the great distance at which we live from the raw material, impose a tax upon it, when it reaches our shores, and next enhance the value of flour, a vast amount of which is used in the cotton manufacture, and by the same means, viz., the corn-laws, make the cost of living in this country dearer than in any other in the world. Mr. Villiers then referred to the examination of certain witnesses under a commission from the crown, from which it appeared that in cotton goods of a coarser quality, the Americans were enabled to undersell us in the South-American, and even the East-Indian markets. Switzerland was another rival, who after supplying her own wants, exported three-fourths of what she manufactured, and met us successfully in the Italian, Levant, and North American markets. Mr. Villiers next led the attention of the house to those countries, who had retaliated upon us, in consequence of the high duty imposed upon their corn and timber. In 1820, we exported to Russia 1,300,000 yards of cotton cloth, and in 1837, only 850,000 yards. In 1820, the declared value of the whole exports to Russia was 2,300,000*l*., in 1834, 1,328,300*l*.. He then turned to Germany, to which country were exported in 1833, 29,631,351 yards of cotton cloth, and in 1838, only 5,562,333. It might be said that in general our exports to Germany shewed an increase; but it was a very doubtful advantage if those exports were chiefly swelled by such materials as enabled those countries to manufacture for themselves, the goods with which we once supplied them.

VOL. LXXXI.

Perhaps there was nothing more striking in the manufacturing condition of the German states, than the arrangements so actively proceeding amongst them for the fabrication of machinery. Thus, while the machinery employed in the hosiery trade has increased in England, 10 per cent., the machinery in Saxony has doubled itself every six years. At the peace, indeed, we had the monopoly of the world in this trade, whereas in 1838, the export of England was but 447,291 dozen, while that of Saxony was 150,000. The hon. gentleman then went into details to show the progress made by Saxon hosiery on the Western continent, and concluded this branch of his subject with the remarkable fact, that Saxon hosiery comes into this country, at an additional expense of 25 per cent., and actually undersells our own manufacturers.

The state of the woollen trade was the next subject which Mr. Villiers brought under notice, by reading to the house a paper drawn up by one of the persons most extensively engaged in this branch of manufacture. This document stated, that, until a few years ago, the English buyers predominated at the great German wool fairs to such an extent that they exercised a control over the prices; but that latterly the German and Belgian buyers have taken the lead, being able, from the flourishing state of their manufactures, to afford a higher price than the English were able to give. That whereas the quantity of German woollen cloths exhibited for sale at Leipsic fair, some few years past, was only 50,000 ends (an end being half a piece), last year the quantity exhibited was 350,000 ends. That independently

[D]

of the duty, the Prussian cloths undersell the English in Germany. That the increase of the continental manufacture of wool is shewn by the fact, that foreigners purchase an encreasing quantity of the wools of England and Ireland, which were before exclusively confined to the use of the home-manufacturer; the exports of British wool being in 1838 of the declared value of 432,000*l.*, while the average of the four preceding years was but 274,000*l.* That there was a decrease in the export of British woollens in 1838, on the average of the four preceding years of 388,000*l.*

Our hardware manufacture exhibits also, according to Mr. Villiers, the most gloomy prospects. The forges of Prussia, Saxony, and Westphalia, are driving the productions of Sheffield and Birmingham out of the general market; and the British manufacturers are receiving orders which, at the price offered, they are obliged to decline to execute, or to execute at a loss.

Mr. Villiers concluded his speech by an enumeration of precedents in favour of the present motion.

The motion having been seconded by Mr. Strutt, Sir Francis Burdett said, that he was willing to take for granted the facts stated by Mr. Villiers, and therefore objected to the course proposed by that gentleman. At the same time Sir Francis remarked, that he had not the least hesitation in stating his conviction that the landed interest, in which he himself was principally concerned, was under very erroneous impressions upon the subject.

Mr. Mark Phillips followed in the line of argument which Mr. Villiers had opened. He stated

that the quantity of cotton twist now manufactured in the United States was equal to the whole of that made in England at so late a period as 1816. Switzerland was at present consuming 50,000 or 60,000 bags of cotton annually. With regard to Russia it might be considered a remarkable fact, that last year the quantity of cotton wool imported into that empire, for the purpose of being manufactured into twist, amounted to as much as the cotton twist actually exported from Great Britain. It was another formidable feature in the present state of things, that the foreign manufacturers, by the advantages which it was worth their while to hold out, were draining our great machine manufactories of their best mechanics.

Lord Howick was the next speaker. Although opposed to the present system, he said he could not support the motion. He was firmly convinced of the impolicy and injustice of the corn-laws, which, oppressive as they were to the community generally, were in his opinion more particularly prejudicial to the landed interest. Lord Howick's objections to the proposed enquiry were sufficiently reasonable. In the first place, he contended they were already masters of the facts of the question; the difficulty was how to account for these facts, and what conclusion it would be proper to draw from them. It was here only that any real difference of opinion could exist. But, secondly, an investigation of this nature, carried on before the whole house, and every member having the right of examination and cross-examination, presented nothing but a prospect of confusion, which it would be found impossible to bring to a suc-

cessful termination. Moreover, if one side was heard, it would be necessary to hear the other. Not to mention that it would be found impossible to set bounds to the extent and variety of the questions involved in the inquiry.

Mr. Ward and Mr. Thornely having supported the motion, it was opposed by lord Worsley, who thought that a repeal of the corn-laws would be ruinous to the country. Mr. Heathcote also opposed the enquiry, which, on the other hand, of course, met with Mr. Warburton's support.

After a few words from Mr. Cayley, controverting the assumption that the alleged decline in manufactures was assignable to the corn-laws, Mr. Poulett Thomson addressed the house. He very strongly urged, that it would be a denial of justice to refuse to the petitioners the opportunity which they demanded, not only of establishing the facts on which they relied, but of refuting the misrepresentations of their adversaries. Lord Stanley made a few observations on the inconsistency of the acknowledged increase of factories with the grievances complained of by the manufacturing interest. Lord John Russell, while he objected to the mode of enquiry under consideration, said he was willing to have the question examined by a select committee.

Sir Robert Peel then rose. He said that he must take a larger view of the question than had been embraced by Mr. Villiers. Supposing corn to be dearer here than elsewhere, he was bound to ask how did that happen? and what connexion has it with taxation? When he was told that corn was 60s. a quarter, he would ask, is there not a paramount necessity

for maintaining the public faith? and would it be just to repeal the corn-laws, while they continued that taxation upon the agricultural interest which produced the high price? Could he shut out of his consideration the land-tax, the malt-tax, the poor-laws, the county-rate, and all those other burdens which pressed upon the landed interest. Could he consent to argue the question upon the sole ground, that corn was higher in this country than in any other, and that were it reduced in cost, it would diminish the competition with which our manufacturers had to contend? Seeing, however, that it was the wish of the house that the question should be argued upon this narrow ground, he said he had no objection so to do deal with it upon that occasion. Why then did he resist an enquiry at the bar? He resisted it from a strong conviction that the present system of corn-laws ought to be maintained, and because he saw no advantage, but a great deal of evil, as likely to arise from the proposed enquiry. How could such an investigation be limited to the bare operation of the corn-laws? Could they exclude enquiry into the effect of taxation, and other complicated questions? Was it not perfectly clear that the enquiry must be a most protracted one, and that, pending its progress, the application of capital must be suspended from the uncertainty attaching to the result? Sir Robert then went on to controvert the facts alleged by Mr. Villiers and others, who contended that, from the pressure of the corn-laws, our manufactures were upon the decline. It had been said, that there had been no increase in the amount of exports in such articles as required the ap-

plication of much manual labour, although an augmentation was admitted in respect of such as could be made with the intervention of very little human labour. Supposing the fact to be as stated, and that a formidable competition existed on the continent, he might ask, was it at all surprising, if, after a lapse of twenty-three years of profound peace, the people of the continent should devote themselves to those industrious pursuits, which they saw so successfully embraced by this and other nations? Was it not inevitable, that those nations should, in the progress of improvement, devote themselves to manufacturing industry, and was it necessary to explain the fact by means of our corn-laws? What could be more natural than the establishment of manufactures in the United States? As the amount of wild and uncultivated land diminished, and the operations of agriculture became more difficult—as the people increased and the towns extended themselves—it could be a matter of wonder to none, that the United States should gradually advance into the rank of a manufacturing nation.

But Sir Robert was not prepared to admit the truth of Mr. Villiers' main position, that there had been a gradual diminution in the export of those articles into the cost of producing which the price of provisions enters; but on the contrary he undertook to shew that not only had there been an increase in the amount of exported manufactures generally, but a progressive increase in the export of those commodities, whose price was regulated by the cost of human subsistence. He held in his hand an account, which he believed to be correct—a comparative state-

ment of the declared value of British cotton goods exported in each of the last eight years, distinguishing each species of manufacture, and he should compare the average of the year 1838 with that of the seven preceding years. The total amount of the declared value of cotton goods exported in the seven years preceding 1838, gave a yearly average of 20,000,000*l*. In 1838, that average was augmented to 24,000,000*l*. Of this increase of 4,000,000*l*. it must be admitted that 2,000,000*l*. arose out of exports of cotton twist, and yarns, (articles requiring little manual labour). It remained to account for the other 2,000,000*l*. The first branch of trade, into the cost of which the price of subsistence must enter, adverted to by Sir Robert Peel, was the hosiery trade. The exports of this article, during the seven years before alluded to, averaged 587,000*l*. while in 1838, the declared value amounted to 150,000*l*. Another similar head of manufactures consisted of calico, muslin, dimity, shawls and hats. These were commodities in which human labour constitutes the greater part of the value. The average of the declared value of the exports of these articles, during the above mentioned seven years, amounted to 13,300,000*l*. In 1838, the declared value had risen to 15,320,000*l*. The increase upon the aggregate exports of the country in the latter year upon the seven preceding was 16,700,000*l*. upon 14,700,000*l*.

Sir Robert then stated, upon the information of a circular published at Liverpool, and of current authority with the trade, an account of the consumption of cotton in all the countries using it during 1837

and 1838. The cotton imported into England in 1837 was 1,059,000 bags; and in 1838 had risen to 1,218,000 bags. The cotton brought into France in 1837 was 357,539 bags; and in 1838 393,000 bags. This gave an increase in respect to France, but it seemed that upon the aggregate exports to the whole of the continent there was a falling off of 2 per cent. in the latter year. In France then the increase amounted to $9\frac{1}{2}$ per cent. In Great Britain it was as much as $17\frac{1}{2}$ per cent. Under these circumstances, Sir Robert said, that he could not admit that our manufactures were in an alarming state, and that our former consumers were about to drive us from the markets. "My opinion, sir," continued sir Robert Peel, "is, that while the blessing of peace remains with us, it is impossible for us to remain manufacturers of cotton to the whole world; and I was not before aware that it was one of the maxims of political economy to repine at or take means to stop the progressive improvement of the human race. The object of the gentlemen opposite is to increase the price of corn in all foreign countries, in order to check the progress of their manufactures. Not a very benevolent object I must confess. The object being then, to diminish the manufacturing prosperity of other countries, is there not a bare possibility that other countries may discover and defeat it? Is it not just possible that they may attempt to save their manufactures by imposing a large duty on the export of corn, which will deprive us of the large revenue expected from the corn, and entirely baffle our object? This country consumes 52,000,000 quarters of grain yearly. Would it

be wise that this country, hitherto dependent upon internal sources of supply, should be called upon to make the experiment, how far in case of war and famine it might rely upon procuring the necessary amount of food from foreign countries?"

Mr. Villiers in reply to sir Robert Peel, said that his own statements had not been fairly represented. All he had said was, "that there were certain indications of coming evil to this country, in the loss or non-increase of the export of certain manufactured goods. He had particularly guarded himself against any exaggerated statements of general distress, or that the manufacturing interests were in a state of hopeless decrepitude. The petitioners clearly stated, that they had ceased to export to countries to which they had formerly been in the habit of exporting, while the character of other exports had much changed, and they wished to explain to the house how this had happened, and how it was, that a rapid increase had taken place in the exports of other countries, which were under the disadvantages attendant upon the infancy of manufactures, while we, with all the contrary advantages were gradually losing ground."

Sir Robert Peel, in explanation, drily remarked, that if he had understood the first speech of Mr. Villiers, in the sense in which he understood his reply, he should not have spoken at all upon the occasion.

The house then divided. For the motion 172, against it 361: majority 189.

This expression of the predominant opinion in the house of commons had the effect of putting the question to rest, and no more was heard of it during the remainder of the session.

CHAPTER III.

Irish Affairs—Assassination of Lord Norbury—Meeting of Magistrates at Tullimore—Speech of Lord Oxmantown—Lord Charleville—Resolutions carried—Mr. O'Connell—Dinner at the Circus—and at Drogheda—Mr. Shaw's Motion for Papers relating to Crime in Ireland—Discrepancies of previous returns—Increase of Crime—Murder of Lord Norbury—Ribband Societies—Encouragement of Agitation—Speech of Lord Morpeth—Reasons for difference in returns—New System of Constabulary—Crime actually diminished—Defence of Mr. Drummond's Letter—Intended Course of Government—Speeches of Mr. Colquhoun—Mr. Pigot—Colonel Connelly—Mr. Tennent—Mr. Litton—Mr. O'Connell—Sergeant Jackson—Debate Adjourned—Speech of Mr. Lefroy—Mr. French—Sir Charles Styles—House Counted out and Subject dropped—Motion of Lord Roden for Committee on the State of Ireland—Reply of the Marquis of Normanby—Vindication of his Exercise of Mercy—and of Patronage—Motion supported by the Duke of Wellington—Opposed by Lord Melbourne—Speeches of Lords Brougham and Plunkett—Motion Carried.

IN Ireland the year 1839 opened with disastrous auguries. On the 1st of January, within sight almost of his house, the earl of Norbury was struck by the ball of an assassin. The deed was done in clear daylight, and it is worth remarking, that at the very moment of execution, a concourse of thirty or forty people were in attendance upon a funeral in the churchyard of Durrow, which lay in a line between the mansion and the scene of the murder, not longer than a quarter of a mile.

This tragical occurrence seemed the more shocking when men re-

membered the exemplary character of the deceased nobleman, both as a man and as a landlord. No associations had hitherto been known to exist in the neighbourhood, Lord Norbury had never acted as a magistrate, and took no part in politics. Even the Roman Catholic rector of the parish, who had lived on amicable terms with the late lord, bore testimony on a public occasion to his good and charitable qualities.

No clue has yet been found for the discovery of the murderer, although at the moment, some circumstances bearing remotely upon the origin and complexion of the crime were stated, but with the

contrariety so discreditably characteristic of Irish evidence.

On the 3d of January, after forty-three hours of suffering, lord Norbury expired. On the same day a notification to the magistrates was issued by the lord-lieutenant of the county, requesting their attendance on the 10th instant, to consider the measures to be taken in consequence of the late outrage.

The meeting, which we notice at a greater length on account of the frequent reference which was subsequently made to its proceedings, assembled on the day announced at Tullamore, under the auspices of lord Oxmantown.

The cause of the lamentable event, which had brought them together was to be sought, in the opinion of the noble president, in a far spread conspiracy for wresting the property out of the hands of the proprietors by the abolition of rent, with the determination of effecting by assassination what they were unable to extort by open rebellion. It was, he observed, but an additional demonstration of the deep and increasing demoralization of a country, where the assassin found in every peasant his protector—in every cottage a place of concealment, and was seldom brought to justice but by the strenuous exertions of the magistrates and police, extorting by ingenious devices from unwilling witnesses, perhaps, some trifling fact which at length lead to the detection of the parties.

The noble lord assigned the following causes for this deterioration of moral principle among the peasantry. The years that immediately followed the act of emancipation, gave birth to a class of men who were unable to rest content with a simple equality; without any pretensions to station or personal

merit, they aspired to a predominance which could be achieved only by the alienation of Roman catholic tenants from the landlords who had generally a great hold over them by their feelings as well as their interests. It was accordingly their policy to form in every village a little club of the lowest sort of agitators. These persons made it their especial business to calumniate the landlord, and to raise a prejudice against him, speaking contemptuously of gratitude when that feeling presented an obstacle to their purposes, and palliating acts of extreme personal violence in cases where it was necessary to overawe men by fear. The parochial clubs were in connexion with county societies, which in their turn maintained communication with the central junto of agitators in the metropolis. The known character of the chief movers in these proceedings prevented their acquiring any considerable influence among the better disposed people, until the events of 1835. At that time the peasantry were led to believe that a compact had been entered into by the ministry with the leading agitators in Dublin, which bound the government, in exchange for the political assistance of those individuals to the adoption of their principles. The case was now greatly altered. From this moment, the little knots of idle and vicious persons in each parish succeeded in spreading their demoralizing influence among the peasantry with an authority almost equal to that of government emissaries, and had been the main instruments in bringing the people into their present condition.

Lord Charleville adopted the same view of the subject. He dwelt long upon the eminent qualities of

the murdered earl, and the circumstances of his death, with feelings heightened by the long intimacy that had subsisted between them.

An expression which had been used by the under secretary Drummond in his answer to the memorial lately presented by the magistrates of Tipperary, upon the state and sources of crime in that county, elicited some severe strictures from this noble earl, who declared that the in itself very innocent maxim, that "property had its duties as well as its rights," was felt to be little less than a deliberate and unfeeling insult in the circumstances under which it was uttered. He did not hesitate to say, that the employment of those terms had given a fresh impulse to feelings which had found their legitimate issue in the late assassination, and it will be seen that this unfortunate proposition became a topic of constant animadversion in the long discussions upon Irish interests which were destined to occupy the hours of the approaching session of Parliament.

In the course of the meeting resolutions to the following effect were proposed and carried with little opposition.

"Resolved—That it appears to this meeting, that the answer conveyed to the magistrates of Tipperary by Mr. Under-secretary Drummond, has had the effect of increasing the animosities contained against the owners of the soil, and has emboldened the disturbers of the public peace.

"That finding from the circumstances mentioned in the former resolutions, that there is little room to hope for a successful appeal to the Irish executive, we feel it a duty to apply to the people of

England, the legislature, and the throne, for protection.

"That the magistrates here assembled, are determined, to co-operate with the government in any manner pointed out by her majesty's ministers, which may give the slightest hope of restoring tranquillity in this distracted country."

The opposite party in the meantime were not wanting in their efforts of counteraction. Mr. O'Connell was indefatigable in stirring up his Precursor society and other similar machines of agitation. On the 22d a grand dinner, for which 1,000 tickets were issued, was given in honor of the liberator in the circus at Dublin. Another festivity with a similar object was solemnized two days later at Drogheda. On this occasion Mr. O'Connell, who suffers little embarrassment from any degree of delicacy or generosity which may still be supposed to enter into the English conception of a gentleman, actually volunteered the assertion that the assassin of lord Norbury had left on the soil where he had posted himself, not the print of a rustic brogue, but the impress of a well made Dublin boot. By this and other insinuations the great agitator did not hesitate to direct the minds of his audience to the conclusion that the earl had met his death at the hands of one who was bound to him by the nearest of natural ties, at the same time that he had the largest material interest in his removal.

With these hostile demonstrations, parties in Ireland prepared for the opening of parliament.

On the 7th of March Mr. Shaw commenced the campaign by moving for returns of the number of committals, convictions, inquests, rewards, and advertisements for the discovery of offenders in Ireland.

from 1835 to 1839, in order to enable the house to form a judgment with regard to the actual amount and increase of crime in that country.

The necessity of drawing the attention of the house to this subject had been, he said, forcibly brought before his eyes by the omission of any mention in the speech from the throne, of the moral or social condition of Ireland. That document had, indeed, pointed to the necessity of some undefined amendment of the municipal corporations, but there was little, in this single allusion to their interests, to satisfy the peaceable subjects of a kingdom where there was no security for property or for persons, where the functions of justice were usurped by irresponsible combinations, and all the relations of society were disorganised. The returns he meant to move for were framed with the view of presenting this sad delineation in its intimate connection with the conduct of the Irish government, and however minute might be the appearance of the details into which they might enter, they were called for by the inaccurate and often illusory nature of all the previous reports.

The house was aware that, under the provisions of the statutes 56th Geo. III. c. 120, and 7th Geo. IV. c. 74, yearly criminal returns of all parties committed and brought to trial were made by the clerks of the crown and peace, and also by the inspectors-general of prisons. These returns had reference to matters in which the assizes and quarter sessions were concerned; but although professedly the same, there was, in fact, a serious discrepancy. He would take the years 1836 and 1837. The reports for the latter year included for the first

time the number of prisoners for trial at petty sessions. These, according to the clerks of the peace and crown amounted, in 1837 to 27,340. But the inspectors gave no more than 14,804. Here was a difference of 12,924 cases. Again, for 1836, the inspectors had returned no more than 23,241 prisoners, whereas the report of the clerks of the crown and peace exhibited 30,360 committals. Upon whatever principles such returns were made, it was impossible to rely upon them; but even if they were accurate, the evil remained unredressed, for the number of committals bore but a small proportion to the amount of offences and of offenders. The member for Bandon had indeed obtained a return of offences committed in 1836 and 1837, but this report in point of fact went over no more than eighteen months of those years, and left out of calculation Dublin and other large places which were not under the superintendence of the constabulary to whom the returns had been made. It should not be forgotten that this report gave only the number of offences, which was far fewer than that of the persons concerned in them. In a return presented by colonel Verner of the persons committed to the gaol of Tipperary with specification of their offences, it was found, that while sixty-three persons had been committed for murder and homicide, only sixteen cases of those crimes had been reported.

These documents Mr. Shaw further contended were illusory as well as inaccurate. In April 1837, lord John Russell had moved for a return of offences in the five months commencing September 1836, with the apparent design of comparing them with the number presented

by the corresponding period of the preceding year. At the foot of each page the contrast was drawn, and a very remarkable diminution, from 1773 to 739 cases appeared on the face of the exposition. But the cause of this apparent result was to be detected in a note, dated January 3, 1836, appended to the return by the inspector-general, and of which the house had never been made aware. It was here explained, that "the mode of reporting then first adopted would exclude from the return many trifling cases of larcenies and common assaults." It followed, therefore, that the apparent diminution was owing to the omission of minor offences in the later enumerations, and every calculation laid before parliament had been vitiated by this extraordinary delusion.

On a comparison of the number of outrages during eighteen months, Mr. Shaw said he had found the aggregate of agrarian outrages throughout the last six months of 1836 to be 843. During the first six months of 1837 it was 904. The third period gave 1086. Was this, he asked, a diminution? Was it not rather a most alarming increase?

In the course of 1836 and 1837, 519 offers of rewards for the detection of murders were published; only 19 of these were claimed. The sums offered amounted to 24,830*l.*; no more than 1,050*l.* was applied for.

Although he was in possession of no perfect materials for 1838, Mr. Shaw said he was but too well satisfied from private sources that no important diminution had taken place. After a sad enumeration of atrocious excesses in Tipperary and Westmeath, the learned gentleman went on to the detail of some

striking circumstances connected with the removal of several of lord Lorton's tenantry in Longford. On the expiration of certain leases on part of the estate of that nobleman, it was found that, owing to the calamitous system of subletting, the land had become quite inadequate to the support of its multiplied pauper population, who were starving each other. The only redress for this state of things lay in making a considerable clearance of the miserable people who had encroached upon the soil, in order to enlarge the holdings and introduce men of capital and intelligence. This was effected. A selection was made by the agent of some of those who bade fair to become good and solvent tenants, and the remainder had orders to migrate, under the promise of receiving a sufficient sum to pay their passage to America or any other country which they might desire to remove to. Several new tenants of high character, and all protestants, were placed upon the several townlands. Mr. Shaw related the melancholy particulars of their sufferings; but we must be content with stating that out of eight persons of this description, two, besides other persecution, had their cattle driven and killed, two were assaulted and left for dead, and the remaining four were either shot or butchered under circumstances even more tragical. But, continued the right hon. and learned gentleman, if anything were wanting to confirm the evidence for a conspiracy against property and due exercise of judgment, let them turn to the atrocious murder which had been perpetrated in broad daylight—upon his own domain—within sight of his home—of the earl of Norbury, a nobleman so avowedly useful and beneficent

that the Roman Catholic priest of Tullamore had pronounced, in a public meeting, an unqualified testimony to his good qualities both as a man and a landlord. Mr. Garrey, the agent of the deceased lord, had received from a poor man a copy of the speech made by Emmet on his trial before lord Norbury, the father of the late nobleman. This was printed in Paris, 1835, and had been in circulation previous to the murder. In consequence of constant menaces, Mr. Garrey himself had been compelled to leave the country. Mr. Shaw contended that all this went to substantiate the existence of a general confederacy. The fact, he was aware, had been denied; but he was forced to believe, with most of the land-agents of Ireland, that the formidable confederations which had been maintained during the last century, under the various names of Whitefeet, Rockites, Terryalts, still continued to exist, and in fact were never in more active operation than at the present moment. In support of this assertion, Mr. Shaw proceeded to read part of a deposition made on the 9th of February, 1839, by a member of the riband society. This body consisted of county and parish delegates, a treasurer, body-master, committee-men, and common members. The county delegates met quarterly in large towns for the purpose of renewing signs and pass-words. At parish meetings members were admitted and sworn. The person so introduced was bound by oath to keep secret whatever he might see or hear, to be true and loyal to each brother, to fight for him to the death, and to hold himself ready on all occasions to rise in defence of his religion. At these meetings also the committee gave orders for the carding

or maltreating of any person who had become obnoxious by his vote or evidence, or by occupying the land of an ejected member. People of a different district were appointed for this purpose, while a person belonging to the neighbourhood was assigned to point out the victim. The pass-warrant was written with contractions, and the pass-words changed every quarter.

Mr. Shaw said he was in possession of the pass-warrant of this society. There had been a denial of the contents of any such document. But what he asked for might be safely given—papers without names or places. By blinking the question they would never reach the root of the evil. He would show that the outrages continued under the practical encouragement of the government. It was for ministers to prove that it was not so. Yes, said the right hon. and learned member, they have encouraged agitation, and are now reaping its inevitable fruits. They have shaken, by the wholesale exercise of mercy, the foundations of justice; they have alighted the judges, they have insulted the magistracy, and when the resident gentry were struggling, amidst the most trying circumstances, for the preservation of their lives and property, they made choice of that most infelicitous moment to insinuate that their duties as landlords had been neglected. They have selected from the ranks of the Precursor society the legal adviser of the crown, and have made lord-lieutenant a nobleman who had avowed his interest in the war which was going on against the church in Ireland.

"It is with sorrow," said Mr. Shaw in conclusion, "that I have born testimony against my own

country. All our interests are identified. I must suffer with her adversity, and can only prosper when she is prosperous. In common with all the allegiant subjects of Ireland, I implore you to consider the sufferings, the shame, and the sorrow of a sister people, before that unhappy land cease to be habitable, and be blotted out from among the civilized nations of the earth."

Mr. Shaw was succeeded by lord Morpeth, who said he could not but express his satisfaction at the course the learned gentleman had taken. Instead of appealing to parliament for a distinct verdict of censure upon the policy of the government, he had concluded this long tirade by a simple motion for papers. There could be no objection to the issue of any information respecting lord Normanby's administration; and he might, perhaps, move for returns applicable to a period beyond the last four years, in the confidence that the late lord-lieutenant would have nothing to fear from the comparison.

Lord Morpeth observed that Mr. Shaw's argument diverged into two main branches. The first was the present state of Ireland; the second, the conduct of the administration with reference to that subject. With respect to the former, he did not stand there to palliate or deny most of the facts adduced; those deplorable assertions were but too well founded, and, unhappily, by no means new. If the substitution of other measures or of other men would give but an hour of relief to that unfortunate country, he need not say how welcome would be the fiat that should take his burthen from him. But it could not be shown that more acts of insubordinate violence had occurred under the present government than

had taken place within any similarly selected interval of the last sixty years. Throughout that lapse of time, like outrages, from identical causes, engendered in the same state of society, had presented themselves with an aspect similar to those which were now commented on.

The first Whiteboy outrages arose, in 1761, from the inclosure of waste lands. "Cruelties for which there hardly existed a parallel (to use the words of a contemporary) were met by enactments better suited for the meridian of Barbary." Lord Clare, in 1786, complained that they prevented the payment of rent and the disposal of the ground, except according to their own pleasure. "Judges could not travel," said chief-justice Downes, in 1806, "without a military escort." According to the statement of lord Guillamore, on the occasion of another commission in 1811, "The avowed object of these societies was to prevent the transfer of property, give a maximum of rent, prescribe the price of land, and keep it unlet until these violent measures were complied with; and to enforce them with persecution, torture, or murder." Sir Robert Peel had made similar declarations in 1814; and on the report of another commission in 1815. The only remedies which it was then in the power of the hon. baronet to indicate were—"Time, the operation of a kind and paternal government, and the extension of education."

Lord Morpeth then read a statement made by sir Robert Peel in 1829, which shewed that from the period of the union, when the retirement of Mr. Pitt from office brought into greater prominence the differences of public men in

regard to the catholic question, Ireland had scarcely been governed for one single year by the ordinary course of the law.

They might perhaps, he said, be met by the remark that although the country had been during all these years in a most distracted condition, it had been the practice of former administrations to apply from time to time for fresh powers and enactments. But all these provisions had occasionally ceased, and the noble lord referred to the conduct of the duke of Northumberland in 1829 and 1830, who declared, in the face of the numerous outrages daily committed, and the applications of the magistrates for the insurrection act, that nothing but the proved failure of the conjoint exertions of the civil and military authorities under the existing law would justify his recommendation of that measure.

The introduction of the coercion bill and the forcible exposition of lord Stanley on the state of the country in justification of that measure were sufficient to characterize the remaining interval before the accession of lord Normanby. Lord Morpeth said, however, he would offer one more statement. It had been alleged that the clergy were more especial objects of intimidation under the present government. How stood the fact? From April, 1829, to May, 1830, no less than twelve outrages on clergymen had taken place, while only two such excesses were on record during the four years of the present administration.

With respect to the lamented death of lord Norbury, the noble secretary stated that the government were not in possession of any clue for the discovery of the assassins. Mr. Shaw had strongly insisted that

that crime would be found to be connected with political exasperation; but it so happened that no political agitation of any sort had prevailed in the neighbourhood where that dreadful murder was committed.

Before he approached the actual statistics of crime in Ireland, lord Morpeth premised that it was far more to the credit of any government, under such circumstances, to exhibit a formidable array of prosecutions, than a calendar lightened by its remissness or neglect; and he would further say that it was no wholesome state of things, when any party had been brought insensibly to conceive that they had an interest in magnifying the amount of crimes at a particular period, since there was a danger that such persons would never display the same energy in the counteraction of what they had long contended to be the actual condition of things.

The following explanation was offered by lord Morpeth of the discrepancies noticed by Mr. Shaw between the two sets of returns. It seemed that by the "Prisons' Act," the clerks of the peace and of the crown were bound to deliver to the inspectors of the gaols a schedule of the persons brought to trial at the assizes and quarter-sessions. The inspectors of the several counties made a general statement out of these documents at the end of the year. But as the clerks would not always make the returns with regularity, the deficiencies were supplied by the inspectors out of the gaol books. Moreover, while the returns were restricted by law to persons brought to trial, it was the uniform practice with some of them to place in their lists offenders who did not come under this designation. It was not in the power

of the clerks to ascertain the number of committals; they could only report the number of persons named in the several bills at each sessions; if, therefore, the same individual were indicted for riot, rescue, and assault, he would be exhibited in the annual returns as three. These were in consequence incorrect with regard to persons. The prison inspectors had the means of correcting the repetitions, but by removing the inaccuracy, they added to the disparity of the two computations. In the meantime a more satisfactory method was in preparation.

In 1836, the whole constabulary force was put under the control of a central office in Dublin. Far more authentic returns of offences were secured by this new arrangement. Under the former plan no reliance could be placed upon the lists of common or petty assaults. Some of the chief constables reported—others made no mention of them in their monthly returns. It was, therefore, determined to include in the monthly memorials only those occurrences of which special reports had been made to the inspector general, a practice which insured the fidelity of these periodical statements. At the same time, with the view of discovering the amount of offences of a less serious nature than those which the police had been in the habit of transmitting as they occurred, a form of return was prepared which was to be filled up by the district officers, and forwarded from time to time to head quarters.

The new system, however, did not come fully into play until 1837. It would, therefore, be the fairer course to confine the inquiry to returns made since that date. The report of the constabulary

made it clear that there had not been an aggregate increase of outrages. The number given for the six months from July to December, 1837, was 3,473; from January to June, 1838, there were 2,622; from July to December of the same year it was 2,356; a decrease of 1,117 in 18 months. There was at the same time, no doubt, a great augmentation in the returns made of convictions by the clerks of the peace and crown, and the prison inspectors, because they included those minor offences which were not reported by the district constabulary officers to the central board in Dublin. Of convictions for these minor offences, the same 18 months of the above cited years respectively exhibited 74,336, 74,539, 86,015; there was a rise of 11,679; and it was a matter of congratulation, for it was owing to the superior vigilance and activity of the constabulary. On the other hand, the committals for forcible possession had fallen in the same lapse of time from 1,600 to 930.

The article of homicide gave little diminution upon an average for the last four years, but lord Morpeth established upon the reports of the other graver offences a gradual but constant decline from 1834 to 1838—a clear proof, he maintained, of the activity of the local authorities.

The number of committals in 1825 was 15,515, in 1838 25,443. Not only had the committals increased in proportion to the number of offences, but the amount of convictions had been augmented in comparison with that of committals. In 1825 the convictions were 8,571, they had risen in 1838 to 19,329. In the former case they were in the ratio of one

half, in the latter of four-fifths. This was about the same with the ratio in England, where the convictions were 71 per cent. of the proportion of committals.

A further return had been published by the inspector-general of prisons of persons committed and convicted of grave offences from 1832; to 1838 inclusively. In 1832 the number committed for murder and manslaughter was 620, convicted 168. Whereas, in 1838, the convictions were 199 out of no more than 424 committals—the same proportion obtained, if the return of all the committals affecting human life, including those above mentioned, were taken in. There occurred in 1832, committals 772, convictions 203; in 1838, committals 575, convictions 279.

The progressive increase of committals upon minor charges which had taken place of late years, was attributed by the best authorities to the establishment of petty sessions, the prevention of the compromise of crime, and the more effectual pursuit of inconsiderable offenders.

So little, contended lord Morpeth, was the foundation for the opinion that criminal actions were on the increase in Ireland. The charge which had been brought against the present government of fomenting its evils by the encouragement of agitation, he affirmed was equally inadmissible. Mr. Secretary Drummond had given great offence by asserting on a late occasion, that "property had its duties as well as its rights." It was said that the effect of this expression was to raise a hope of impunity for crime—but, unfortunately, at the very moment of utterance, the government was in

possession of a clue for the discovery of the murderers in question who had since been tried and executed. But could it otherwise be supposed that those reckless persons, who were ready, as had been proved, on the slightest prompting of any man with whom they might be connected, either by formal engagement, or mere identity of situation, to undertake the execution of the most deadly crime—brood over their purpose for weeks and months with unceasing vigilance, and at last accomplish, with calculated accuracy, a deliberate murder—could such a brotherhood, lord Morpeth asked, be influenced by a common truism from the desk of a government officer? And was it, after all, he continued, so very reprehensible in Mr. Drummond in reply to a long memorial on the causes of crime from the magistrates of Tipperary, to indicate to those who were alone capable of effectual admonition—the quarter from which all dangers mainly emanated, with a caution against increasing by any fresh irritation, the existing evil?

Lord Morpeth proceeded to read a return of the gross amount of ejectments in certain counties from the year 1833 to 1838 inclusive. In Tipperary, during these six years, there had been 882; in Carlow 191; in Longford 172, besides 330 from the quarter sessions court; in Queen's County 213; in King's County 152; in Sligo 180; in Westmeath 200. There were, upon an average four families under each ejectment, and five individuals in a family. About twenty persons, therefore, were turned out in each case of ejectment. These returns might not prove much. But he possessed

many documents referring to individual cases — memorials stating facts which were calculated to create no very pleasant feelings in the house or in the public. He would not read them, but be content with observing that government would fail in its duty were it to confine the voice of warning to one side only.

Many of these excesses, complained of, continued lord Morpeth, were stimulated by a feeling, whether, just or not, of personal oppression, and there could be no doubt that the poorer classes were influenced in favour of the transgressors by the apprehension of being themselves placed in a similar position. Local circumstances were the immediate causes of these disorders, but their remoter origin, lay in the radically vicious structure of society which had arisen out of events in Irish history. No sudden change of men or measures could reach this deep-seated malady. In the language of Mr. Lewis, the whiteboy disposition sprang from the peculiar state of the peasantry which makes the possession of land a necessary of life. So long as the same causes remained in operation, there was no hope of suppressing these disturbances by the fear of punishment. All species of legal severity compatible with our form of government, and state of civilization has been tried and has failed. "*Pœnarum exhaustum satis est.*" Upon men who have nothing to hope in their actual state, and little to fear from the consequences of crime, it is in vain to attempt to work with the ordinary engines of government. When the heart is past hope, said the proverb, the face is past shame.

Hon. gentlemen, said the noble

lord in continuation, might question the policy of ministers, they might libel their motives—it mattered not—but this he would take leave to say, that they would never withdraw the opinion deliberately given, that property had its duties no less than its rights, or cease to urge, with even more deliberate warning, upon friends or opponents—all without exception—that there were proceedings, which, while Ireland continued what it long has been—and long he feared must be—would generate resistance. "The flesh will quiver where the pincers tear."

So much in the way of remonstrance and entreaty. The course of government in the meanwhile, subjoined the noble secretary, would remain the same; the law could recognize no distinction between provocation, and non-provocation. As they had done, so they would continue to guard with equal vigilance, and to avenge with impartial severity the wanton oppressor of his tenants, and the man who only lived for benevolent purposes, and was followed to his grave, like the lamented lord Norbury, with the tears and regret of his neighbourhood.

The course of the ordinary tribunals, lord Morpeth went on to observe, had been so far satisfactory, but there was no indisposition on the part of the government to amend the existing laws where they were found to be ineffective. The more effectual search for unregistered weapons, and the recovery of even registered arms in the hands of improper persons had already been made a matter of deliberation. A plan was also under consideration for removing the assessment for additional constabulary force in cases of local

disorder, from the county at large, to the insubordinate district. It was, moreover, the full intention of government to enforce the ordinary powers of the law—upon adequate occasions to have recourse to its extraordinary resources—or, in the event of their failure, to apply for fresh provisions. But, after all, said the noble lord, in conclusion, it was to far other agency, that parliament must, and he trusted would, be disposed to resort for any radical alteration in the worst tendencies of the people. Without risking a conflict upon the new poor-law bill or any analogous measure, he could not conclude without the declaration of his own deep conviction that it was by operating in the first instance upon the outward circumstances of the people that they could afterwards cope with their moral condition: by creating new links between the employer and the employed—by planting new hopes and new habits in their bosoms—deepening the channels of industry and developing all natural resources—by these means alone could they effectually obtain the great ends of civil government and social order.

The length at which we have given the speech of the noble secretary for Ireland on this occasion, will, perhaps, appear disproportionate; but we have been thus profuse in our extract, in the belief, that we could not convey to the reader a clearer statement of the views entertained by ministers, or of the facts and reasonings by which they are supported, than that which has thus been laid before him.

Mr. Colquhoun followed lord Morpeth, and endeavoured to show, from a long enumeration of cases, that crime had been gaining

ground under the system of agitation connived at by the present government. The hon. gentleman said, he was at a loss for the reason why the title “*ribbandism*” had been omitted from the police returns since 1834, when the existence of that conspiracy was a notorious fact, and admitted by lord Morpeth.

The method of aggression adopted by Mr. Colquhoun, was deprecated by the solicitor-general on the grounds that it was not possible for any official person to deal, upon the moment, with a number of cases from a file of documents framed upon unauthenticated evidence, and founded upon uncertain information; but when the hon. gentleman chose to ground his statements—to base his calculations upon data whose accuracy was admitted by the parties he intended to impeach, Mr. Pigot would know how to meet him.

Mr. Villiers Stuart submitted the expediency of introducing some alteration in the law of ejectment in Ireland. There existed, he said, in that country, a class of people not to be found in England, he meant the middle men. As it was, the ejection of one of these persons, who might be a very bad tenant, had perhaps the practical effect of turning out a hundred under tenants, who had, in the majority of cases, paid their rents and fulfilled their contracts to their own immediate landlord, the middle man; and he asked whether there were no means of recovering the land from the middleman without the necessity of expelling the poor under-tenants?

The speeches of colonel Conolly, Mr. Emerson Tennent, and Mr. Litton were directed to the substantiation of the same serious

[E]

charge against the Irish administration which had been made by the speakers who had preceded them on the same side of the house. The debate presented little variety or interest after Lord Morpeth's reply, unless we should except an intemperate but somewhat characteristic sally of the hon. member for Dublin in a speech not otherwise distinguished for argument, which caused some excitement in the house.

"Speeches," said Mr. O'Connell, "had been made by four gentlemen, natives of Ireland, who, it would appear, came there for the sole purpose of vilifying their native land—[*loud cries of 'Oh!' from the Opposition*].—yes, of vilifying their native land, and endeavouring to prove that it was the worst and most criminal country on the face of the earth.—[*Continued cries of 'Oh!' from the Opposition*]. Yes, you came here to calumniate the country that gave you birth.—['*Oh, oh!*'] It is said that there are some soils which produce enormous and crawling creatures—things odious and disgusting—[*loud and continued cheering from the Opposition*].—yes, you who cheer, there you are—can you deny it—are you not calumniators?—['*Oh, oh!*'] Oh! you hiss, but you cannot sting.—[*Laughter*]. I rejoice in my native land—I rejoice that I was born in it—I rejoice that I belong to it; your calumnies cannot diminish my regard for it; your malevolence cannot blacken it in my esteem; and although your vices and crimes have driven its people to outrage and murder—[*loud cries of 'Order!'*].—yes, I say your vices and crimes—[*cries of 'Chair!'* *The Speaker interfered*].—well, then, the crimes

of men like you have produced these results."—[*Cries of 'Oh, oh!' from the Opposition*]. Mr. O'Connell went on to insist, that it was the fashion of the honourable gentlemen opposite to give only vague and indefinite motions, in order that their antagonists might be taken at a disadvantage. They placed upon the Notice-book a vague and general motion, they then came down with a catalogue of details and a list of dates, giving to the whole an appearance of exactness and truth; and then, when the government, unprepared to go into these details, replied only in general terms, they went away and complained that they were not met. This was a trick, a party trick, to prejudice England in favour of that faction which had so long oppressed and trampled upon Ireland—a faction made up of foul and malignant murderers—stained by blood, and dishonoured by the breach of treaties—for three hundred years making religion the pretext for their crimes, and now again enlisting the sacred name of religion against right and justice.—[*Cries of 'Oh!' and cheers*]. Much was said of Irish offences, but he (Mr. O'Connell) asked were there not more and worse crimes committed in England? Fourteen murders had occurred in Ireland since the 16th of November—England since that period presented twenty-five; yet no English member had arisen to exclaim, "What an abominable country is mine! what shocking people are the people of England!" Let them add two cases of supposed murder, thirteen of personal violence, and not less than twenty incendiary fires—one of which, by the by, was at *Shaw*, in Berkshire.—[*Laughter*]. A calculation he

had made of crimes which had been visited with more than six months imprisonment, gave to Great Britain 6,259, but to Ireland only 2,577, of such offences. Mr. O'Connell, in conclusion, moved that after the word "Ireland," there be added the words, "also similar returns for England, Wales, and Sootland."

Mr. Serjeant Jackson, who was the latest speaker on this night, maintained at some length, that by almost every single exercise of patronage, and more especially by the appointment of Lord Ebrington to the vice-royalty, the government had favoured, for its own ends, the cause of agitation.

The debate was then adjourned. It was resumed on Monday the 11th of March by Mr. Lefroy, who entered into an apparently successful vindication of the conduct of lord Lorton in the removal of his tenants, which had been the object of some severe strictures in the speech of Mr. O'Connell.

Mr. French next addressed the house. He said he did not attribute the excesses of the Irish peasantry to any natural ferocity. They were a people distinguished by nature for patient endurance, and many social virtues. The cause, in his opinion, was to be sought in reckless habits contracted by the pressure of intolerable destitution. Mr. French mentioned as an undoubted fact, that during the last fifty years the rental of Ireland had more than trebled, while the poverty of the cultivator had increased; and contrasted the statements of the poor-law commissioners with those of Arthur Young in 1776, to shew that the condition of the people had considerably deteriorated—a fact which was confirmed by the

more frequent occurrence of fever and famine among them. It was by no means certain, that the English labourer would have borne without greater resistance half their privations. In the reign of Elizabeth, when the English peasants were in the same state of transition in which the Irish now found themselves, they were guilty of far greater excesses. A paper in Strype's Annals, written by a magistrate of Somersetshire, states that in one year, 1596, in that single county, forty persons had been executed for felony, thirty-five burnt in the hand, thirty-seven whipped, and 183 discharged. It appears that, notwithstanding the great number of the indictments, not one-fifth were brought to trial. Could the state of Ireland, bad as it was, be compared to this? Banded societies of desperate men, living loose on the country, were restored to order by the passing of the poor-law bill in the reign of Elizabeth, combined with a large system of public works, after the most cruel and arbitrary laws had failed to effect their suppression. Similar causes, he contended, would have the same effect in Ireland; and they would have to thank the present government for this consummation. They had already passed a poor-law bill. Other great practical measures were in contemplation. Nor should it be forgotten that they had abandoned the system of governing for a party, and had directed all their endeavours to the promotion of the best interests of all classes of the people.

The next speaker was sir Charles Styles, who, however, had not proceeded far in his address, when the house was counted out, and this long discussion, which had

little applicability to the motion proposed, finally dropped.

On the 21st of March, lord Roden rose, on the order of the day, to move for a select committee of inquiry into the state of Ireland since 1835, with respect to the commission of crime. The speech of the noble mover presented the same catalogue of lamentable occurrences which seem to lie so ready to hand for any one who desires to depict the calamitous state of that unhappy country, or to construct a charge of misgovernment against the existing administration. The crimes and misery of Ireland are unfortunately no matter of recent notoriety; but it is perhaps a less easy task to appreciate the relative intensity or remission of that miserable condition in connexion with the measures of the executive, amid so great a complexity of statements and such a conflict of assertion on the one hand, and denial on the other. In the present debate, which was conducted in the tone and almost the terms of the discussion which lord Roden had originated on a former occasion, the noble mover adopted the most inculpatory view of the question, and every circumstance in his highly wrought delineation,—the deeply-rooted ribband conspiracy—the grievances unredressed of the persecuted protestants of Achill—the general insecurity of life and property,—had, in his opinion, been either created by the conduct of lord Normanby, or had acquired an aggravated character under his unscrupulous encouragement of agitation for political purposes.

Few will doubt that the exposition made out a case for inquiry, if there indeed remain anything

material to be learned upon a subject of which the leading facts have been but too long within the cognizance of all men, although they may not be of opinion that the expedient derived any augmented urgency from the line of policy which has obtained at the castle; and still smaller, we should imagine, would be the number of those who disputed lord Roden's concluding assertion of the intimate union of the interests of Ireland with the fortunes of the empire at large.

Lord Roden was succeeded by the marquess of Normanby. "I am fully aware," said the noble lord, "of the awful responsibility which would lie upon my head, if these charges rested upon evidence at all commensurate with the vehemence of language and earnestness of manner with which they have been brought forward; but they rest upon no such foundation. I am ready, with natural indignation, to prove, now on the floor of this house, that I have grappled with crime wherever I have found it, firmly and unremittingly, and have yielded to none of my predecessors in the successful vindication of the law; and I will further show, that the present state of Ireland is not unparalleled, not merely from vague letters of private persons, but from the charges of the judges and despatches of former viceroys."

After mentioning incidentally that persons were now awaiting trial for every murder that had been committed, except one, and that two persons were now under arrest on suspicion of having been concerned in the assassination of lord Norbury, the noble marquess said he had endeavoured, on a previous occasion, to establish three positions:—first, that crime

was less now than it was formerly, both in extent and in atrocity; in the second place, that there were more committals in proportion to the number of offences; and, finally, that the convictions bore a larger proportion to the number of committals; and if he could now make good these three positions, there would remain little ground for the assertion that the executive had been remiss in dealing with crime in Ireland. He had then endeavoured to show, by comparing the constabulary returns of the first nine months of the year 1837, of which he was then speaking, with those of the two preceding, that there had been a gradual decrease of offences affecting the public peace, and the security of life and property. He would now continue that comparison, by quoting the offences committed in the remaining months of 1837, in contrast with those which had been returned for the three closing months of 1838. The former period exhibited 1,254 cases; the latter, only 769. His lordship then went on to compare together the returns for the last five years. The article of homicide gave on the average no diminution—it was greatest in 1834, least in 1837. But a sensible fall appeared in the number of all the other offences of a grave nature; such as were firing at the person, burglary, the imposition of illegal oaths and faction fights. Lord Normanby then read from a summary of returns made by inspectors of prisons, of persons committed and convicted between 1832 and 1838, the part relating to offences affecting human life. It appeared that in this interval inclusively, the committals had diminished from 772 to 575, while the convictions had increased from

203 to 298. In England and Wales, the committals for 1837 were 23,612, the convictions 17,096. The proportion of sentence of death to the population in England was 1 in 26,992. In Ireland, only 1 in 46,014. Transportation for life in the former country, was 1 in 18,258; in the latter, 1 in 30,460. In England, the proportion of capital offences to the total convictions was, death, 1 in 39. In Ireland, 1 in 62. The total for transportation in England, was 1 in 4½; in Ireland, 1 in 8½. In the imprisonment cases the numbers were nearly equal. The proportion of convictions was in both countries about 71 per cent.

Lord Normanby then proceeded to corroborate his counter statement of the more than ordinary tranquillity of Ireland under his administration, by selecting for illustration two recent periods of Irish history—the years 1818 and 1822; in which motions somewhat similar, though not of a culpatory character, had been made in the house of lords—by the duke of Bedford in the former case, in the latter by lord Lansdowne, under the respective vice-royalties of lord Whitworth and the marquess of Wellesley. A despatch of lord Whitworth's in 1816, shewed that, instead of four in five, there was not at that time one conviction out of five committals; and, in general, the statements of both these functionaries, as produced by the noble marquis, gave evidence of a greater prevalence of open and undisguised aggression than can be gathered from the surface of the returns of more recent years.

Lord Normanby next went on to allege another testimony to the progressive improvement of the

country. This was afforded by the charges of the circuit judges at the different periods. He quoted a vast number of such statements, delivered from time to time, between 1816 and 1835, which presented only one continuously gloomy picture of the prevailing practice of violent and atrocious outrage. Passing from this sad delineation, lord Normanby proceeded to advert to numerous addresses of judges on similar occasions *since* 1835. All of these contained one common topic of congratulation, viz. the comparative lightness of the calendar; a circumstance, the noble marquess said, which went far to establish the position from which he had started, however it might fail to prove the extinction of exceptional cases of heinous crime. With regard to the murder of the earl of Norbury, lord Normanby declared that the information which he had received led him to believe that, like other atrocities of the same cast, it did not proceed from any conspiracy of a religious or political character. Such outrages commonly originated in local combinations having a limited object—such as the tenure of land; and extended only to the connexions or clan of those affected by the particular acts out of which the intention to commit the crime arose. The noble lord further observed, that the convictions before the commission at Tipperary, to which allusion had been made, were so far satisfactory, as they proved that jurors of every shade of opinion could be brought to do impartial justice.

He now came to the charge relating to the alleged abuse of the prerogative of mercy. Two things Lord Normanby distinctly denied—

that upon these occasions any persons detained for serious offences were discharged without mature inquiry—or that any persons were liberated merely because he happened to pass through the town, who would not have met with the same indulgence upon facts stated in memorials.—No, this measure, he insisted, had been adopted upon the conviction that in the peculiar case of Ireland, after severity had been so often tried—mercy was well worth the experiment. It was one which was not lightly to be repeated, but while he had received satisfactory evidence of the success of the measure, it was in his power to produce the testimony of judges with whom he had no political relations, to the pains taken in the examination of each case, and the deference shewn to their reports.

The noble marquess then proceeded to correct some misconception connected with the exercise of the prerogative on his personal inspection of the gaols in 1835—6. The cases then decided upon were of three sorts. Upon the first description there had been in fact much antecedent inquiry, so that what then passed was only the communication of a previously formed decision, sometimes, merely reserved for some final local inquiries. He came to the second class.—These were persons convicted of light offences, whose sentences had nearly expired. The recommendations had been founded on the report of their exemplary conduct during confinement, together with testimonies of magistrates to their previous good character, and he had since been informed by the local inspectors, who were with one exception, protestant clergymen, that this very limited indulgence had been of great service in im-

proving the discipline of the gaol and the character of its inmates.

The third class were most numerous in the prison of Clonmel, where the law had been put in force with unexampled severity against a sort of offence which had been previously neglected—not to my encouraged.—He meant faction fights, and riots at fairs.

In the next place, the noble lord gave an analysis of the memorials presented to him, and the decisions made upon them, from the motion of lord Roden, November, 1837, to January 31st, 1839. In that interval, there had been forwarded to him 1,631 memorials. Of these, 371 were decided unfavourably, without reference to judge or assistant barristers; 431 unfavourably after such reference; favourably, without reference 188; favourably, upon advice, 634. His lordship said he would confine his remarks to the 188 cases upon which a favourable decision had been made upon his own responsibility; but even of these, 48, being fines for non-attendance as jurors, or for the possession of unregistered arms, had, in fact, been referred to the proper authorities, so that only 145 remained to be disposed of. These made up three classes. The first, where sentence was remitted from the time when the memorial was taken into consideration 62; a second class, where health was the main ground for the decision 24; the third, where only a perspective mitigation was accorded, 59. In all these there occurred only three cases for transportation, which were mitigated upon a certificate of the prisoners' unfitness for the voyage. To take another method, the whole amount of punishment remitted in the 62 and 59 cases did not exceed 140 months,

or 14 years of transportation divided among the whole 121 criminals.

It might be urged that the lavish use of the prerogative had promoted the presentation of memorials. How stood the case? In 1824 it was stated incidentally to another question, that no less than 2,600 memorials had been brought before lord Wellesley in the preceding year, and capital sentence set aside in 400 cases. 2,600 memorials! exclaimed lord Normanby; 400 capital sentences remitted in twelve months! Was the house aware how many applications had been made during fifteen?—Only 1600. Had they heard the number of capital sentences remitted?—No more than 9, and all upon the recommendation of the judges. The changes in the law—the altered state of the country would account no doubt for much of this great disparity, but there remained after all, enough to make clear how small was the foundation for the assertion that he had encouraged the multiplication of such memorials.

Turning to another charge—the exclusive promotion of Roman catholic functionaries, lord Normanby read a list in which the preponderance of protestant appointments was in the proportion of 8 to 6—69 to 37—27 to 8—40 to 37 in various legal and constabulary departments.

Another accusation rested upon his toleration of the Precursor society—a question which had puzzled many governments. He had made no secret of his disapproval of that society, but he felt reluctant, upon constitutional grounds, to make any recommendation to parliament for its suppression, because it had not been the practice of government to use active

interference with a public society, free from all secret oaths, merely on account of objectionable proceedings.

Two other topics yet remained to be dealt with. More than one attack had been levelled against his administration of the criminal law. He was content however to take his stand upon two measures. One of these was the establishment of local prosecuting solicitors, a system which reached many offences which were formerly compromised, and had rendered the execution of justice most efficient throughout the sessions of Ireland. Another measure was the bill for the remodelling of the constabulary, which was formerly directed upon an isolated and imperfect system, under four independent authorities in the several provinces. This force had been brought into far more effectual operation in the hands of colonel Shaw Kennedy, and his successor, colonel Macgregor; so much so, that although, in the course of re-organization no more than 500 had been added to its previous complement of 8000 men, the number of troops had fallen in the mean while from 19,000 to 15,000.

Again, with regard to that most popular topic of clamour—the neglect of the interests of the church, the noble viceroy asked if he might not take some credit for having held the patronage for four years without exciting a single murmur in quarters where the most undeniable disposition to discontent existed. It was stated the other day in a tory newspaper that the viceroy had promoted in the course of his government, 36 curates, who had no passports beyond their own merits. Lord Normanby said, he kept no account

of their numbers, but he was able to state that their several cases had been considered with the sincerest desire to promote the efficiency of the church of which he was a member.

In conclusion, lord Normanby contended that whatever might be the result of the motion before the house,—(and taking the manner in which it had been made in conjunction with the limitation of inquiry to the period of his accession, it could only be viewed in the light of a direct incrimination) no decision of their lordships could take away the consolation which he should find in the approval of his own conscience, and the gratitude of the Irish people.

The duke of Wellington protested against the hostile construction which lord Normanby had endeavoured to put on lord Roden's motion. No charge, he said, lay against the noble marquis personally, but many murders and outrages had been committed under his administration. The single fact that there had occurred in one year, 700 to 1000 homicides, or from two to three a day throughout Ireland, afforded sufficient grounds for an inquiry to ascertain whether there was not something in the criminal jurisprudence of that country which required some remedial measure beyond any which could be adopted by the existing government. Another fact had also been admitted, on the present occasion, viz. ;—the existence of the ribband society. It was most desirable that some investigation should take place, of the degree in which the state of crime in general was affected by the proceedings of that society, and, at the same time, of the mode in which certain individuals were

able to influence its members. These were all causes for serious anxiety; and, although they had been reminded that the case had always been as it now was, he would venture to say, that no former ministry, in the face of such depositions, had ever had the assurance to lay claim to the pacification of Ireland, or had made its tranquillity a topic of congratulation in the speech from the throne.

It would be difficult to cite any passages of general interest from the speeches of the earls of Charleville and Donoughmore, or the marquess of Westmeath, who gave their support to lord Roden's motion, or from those in which lord Rossmore and lord Lismore opposed it. We may, however, record the assertion made upon personal observation by the earl of Fingal, that, in spite of the prevalence of crime and conspiracies among the lowest classes, the condition of the people was gradually improving, and the rate of the purchase of land had considerably increased. Even in Tipperary estates had recently been sold for a very considerable price, and it was understood that the marquess of Westmeath had himself become the purchaser of property in that very county at a high price, a great part of which had been consequently disposed of at an increased value.

Notwithstanding the protestations of the duke of Wellington, lord Melbourne declared that he could discover in the motion before the house, a pure censure upon the government, and nothing else. Not one of their lordships, whether he had taken part in the debate, or attended its course in silence, looked for any result from this proposed

inquiry, or could expect to gain on its termination, any further knowledge of the state of Ireland and the remedies to be administered, than he possessed at that present moment. Too many books had been written—too many reports compiled—too many commissions issued on tithes—on crimes—on education, on pauperism, for any one to be ignorant of the minutest circumstance in the prevailing evils of Ireland. An enquiry into the conduct of the government would have at least a meaning. It might lead to some decision upon a far more recondite subject—the nature of the necessary remedies; but when the noble earl had carried his committee, and established the fact, all these uncontested outrages, would he have made one step towards any practical conclusion. They sought to prove what no man dreamed of denying. There was, in Ireland, unfortunately, from causes of long existence, a disregard for human life, and a comparative indisposition to discover the murderer. In that unhappy country a notion of right was connected with murder, which secured to the criminal the sympathy of the people. Whether the feeling had its origin in the defect of the old laws of the land, or in some deep but undefined impression relating to the original rights of property, it was a disease most difficult of extirpation. In England there existed ordinarily no such sympathy, but even in this country when murders took place which interested the great mass of the people, like those arising out of strikes, there was almost the same difficulty in procuring co-operation for the discovery of the guilty party.

Lord Melbourne observed that

the noble Duke had over-estimated the number of homicides when he rated them at 700 a-year. 260 was, he believed, the maximum—quite enough—but trifling as compared with the former number.

Lord Roden had alleged that the Precursor society had been founded by a gentleman who was a great upholder of the present government. Unquestionably, said the noble Viscount, the government had received very efficient support from that learned gentleman; and he had yet to learn that it entered into the duties of any ministry to repudiate support which might be accepted without sacrifice of principle; but if any one thought that any effectual aid had accrued to government from the erection of the Precursor society, he felt bound to avow his opinion, that nothing had a greater tendency to alienate well-disposed minds than that and other more exceptionable proceedings of the member for Dublin.

Lord Brougham then rose. He maintained that the noble viscount had mis-stated the object of the motion in question. It was not for a chartless voyage over the ocean of Irish affairs, but for an inquiry into the state of crime, in which there was nothing vague or indeterminate. In his opinion, a *primæ facie* case—a case that required an answer—had been made out. But rather than at once pass censure, he desired further information. The real question was whether, with regard to crime, Ireland was progressing, stationary, or retrograding.

The noble lord-lieutenant of Tipperary, had required a new enactment on the grounds of the proved inadequacy of the existing law, however vigorously enforced.

Lord Brougham said, he did not concur in that view, nor was he of opinion that a special law was needed to suppress the precursors. "As to that society," said the noble baron, "I highly disapprove of it, because it holds out as the meaning of its title that it is a prelude to the repeal of the union. They virtually aim at this when they make it the alternative of certain wild and impracticable conditions backed by an exhibition of physical force. No man supposes these stipulations can be complied with. It means, then, a society for the repeal of the union. Therefore I disapprove of it—therefore I am against it—therefore I will use all lawful means by argument, by influence here and elsewhere, to oppose it. But why do I not approve of the law to put it down? Because the measure would be unconstitutional. I am not disposed to nurse it (impotent and ridiculous as it has hitherto been) into importance by legislating against it."

No doubt, continued his lordship, the noble viscount was entitled to take any support which he could obtain without unbecoming sacrifices; but were he in lord Melbourne's position, he could figure nothing to himself more hateful to his feelings, or humiliating to his honour, than the reception of such support on the grounds on which it was given.

Now to the reasons on which he should give his support to the motion. The exercise of mercy, by the constitution of England, was not left to the arbitrary caprice of the monarch—it was a part of his duty, and blended indissolubly with the dispensation of justice itself. Little regard had been paid to this great maxim. It was not

even pretended that all the grants of pardon had been made upon communication with the judge who heard the case. These grants amounted to 284, excluding cases tried at quarter sessions, and 400 persons convicted at quarter sessions received full pardon or mitigation of sentence, without one word of reference to the proper judicial authorities. With whom communication had been held, it was for their lordships to inquire. But he knew from the authority of some of the highest judicial functionaries that these proceedings had occasioned them very great alarm. Let them only consider what the facts were. He would assume, for the moment, that the noble marquis in his triumphal circuit had carefully sifted each case of the 284 persons so set at liberty—and it should further be conceded that no source of legitimate information—neither the opinion of the judge who tried them, nor the report of gaolers and inspectors cognizant of his demeanour in prison—nor the proper palliating circumstances in the different instances, had been neglected in the formation of the several decisions of the viceroy. These were large concessions. [Lord Plunkett hoped his noble friend would abide by them.] Yes, said lord Brougham, the hand of the clock would not go over three minutes before his noble friend would see that he had no desire to be released from them; inconsistent though he believed them to be, to the utmost possibility of discrepancy with the real state of the facts. Let these things be admitted. One thing, however, which was necessary to justify the dispensation of mercy he was *not* able to admit. But

lord Plunkett might remove his hesitation, and so cut short his labour—prevent his vote—and restore him, on this occasion to the society of his noble and learned friend. Let him but prove, or make the mere assertion, that there were no remaining prisoners in other parts of Ireland who equally deserved to have their cases investigated, and to be made subjects of the prerogative of mercy. Here lord Plunkett laughed, but lord Brougham begged his noble friend not to treat the matter lightly, or imagine that he would laugh many minutes longer, and resumed his subject. Friend as he was of justice, supporter of monarchy, and all its legitimate rights, he protested against the exercise of this prerogative unless some new circumstance had subsequently transpired, or the sentence had been too severe, or had been improperly given. The noble marquis was welcome, on arrival, sojourn, or departure, to the fullest meed of popularity, so that the prerogative of the crown were not used, or rather abused, through caprice, or baser motives, to secure a few elections. They were on a painful subject, and he did not wonder that lord Plunkett had not chosen to take an early part in this debate, lest he should be obliged to take a view of these enormities; it gave him no surprise to find that *spectaculo averteret oculos ne tantæ majestatis deformationem aspiceret*.

The matter, said lord Brougham, in conclusion, was now fully and fairly stated, and it remained for him, and for those noble lords who agreed with his views on the subject, to affirm directly and explicitly that a *prima facie* case for inquiry was made out.

Lord Plunkett followed lord Brougham, and the most striking part of his speech was that in which he dwelt on this fresh instance of his noble friend's political versatility. He begged to know what course lord Brougham would follow, in the event of this present motion being carried. Had he any measure to propose, or was he willing to adopt the propositions of others? Was he willing to commit all the friends with whom he had hitherto acted, and to surrender all the principles and opinions which he had advocated with such transcendent ability in the best days of his life? Would he wait on the issue of what might be done by those with whom he had to night allied himself? No good or honourable result could issue from this inexplicable coalition; and he sincerely grieved that his noble friend should be willing to incur the consequences of such a combination, and to sacrifice the glories of his former life for the dearly-purchased triumph of that night; and he would cau-

tion the noble duke, and the noble lords opposite, who were disposed to co-operate with lord Brougham on this occasion, not to count too confidently on the continuance of that support, for they might rest assured, his noble and learned friend would repay himself with usury, for the use he had lent himself to, and they would come to say with the poet—

“ Quis te nunc fruitur credulus aurea.”

After a few words from lord Brougham, the marquess of Normanby, and lord Winchilsea, lord Roden very briefly replied, and their lordships proceeded to a division: — Content 63; Non-content 58: Majority 5.

This proceeding of the house of lords seems to have given singular dissatisfaction to the ministers.

On the day following that on which it took place, lord John Russell announced his intention of taking the opinion of the house of commons on the government of Ireland in late years, in the very first week after the recess.

CHAPTER IV.

Irish Affairs continued—Mr. O'Connell in Dublin—His great Activity—House resumes its Sittings—Lord John Russell gives notice of his Resolution—Sir R. Peel reads his projected Amendment—Mr. Duncombe's Rider—Motion of Lord John Russell on the 15th of April—Sir Robert Peel's Reply—Speeches of Mr. Spring Rice—Colonel Perceval—Mr. Lascelles—Mr. Grote—Mr. Gibson—Sir E. L. Bulwer—Mr. Pigot—Mr. Shaw—Lord Morpeth—Sir James Graham—Mr. Duncombe—Sir George Sinclair—Mr. Leader—Mr. Sheil—Lord Stanley—Mr. O'Connell—Reply of Lord J. Russell—House divided after Five Nights Debate upon Sir R. Peel's Amendment, and upon the Rider of Mr. Duncombe, which was also Defeated—Irish Municipal Corporations Bill—Principal Features of the new Measure—Speech of Sir Robert Peel—Second Reading—House in Committee—Debate on the Qualification—Mr. Shaw's unsuccessful Amendment—Speeches of Lord Morpeth—Lord Elliot—Sir R. Peel—Bill read a Third Time—Severe Strictures of Lord Brougham in the House of Lords on the Second Reading—Lord Melbourne's Answer—House in Committee—Lord Lyndhurst's Amendment on the proposed Franchise—Speech of Lord Brougham—Lord Melbourne—Observation of the Duke of Wellington—Bill passed and carried to the Commons—Further consideration postponed till next Session.

THE intervening periods of parliamentary recess are rarely thrown away upon the indefatigable member for Dublin. In this instance the recent vote of the house of lords seems to have exasperated him to more even than his ordinary energy of agitation. The houses had scarcely risen before he crossed St. George's channel to evoke his ever ready spirit of political perturbation. On the 6th of March, we discover him among his precursors, exclaiming, "What am I here for? To call upon all Ireland to rally round the ministry—to call for my 2,000,000 of precursors

—to call on the inhabitants of all the counties, towns, boroughs, cities, and villages in Ireland to meet at once, and second me in my undertaking. I will take upon myself to name a day. We will have simultaneous meetings. Let Sunday week be the day, and on that day let every parish in Ireland meet and adopt petitions on the subject. Oh, do not speak of that Irishman that does not become a precursor. We want not those who look for places to join us—no packed juries—no dishonest judges—we want only equality, refuse us this, and then, in the day of your weakness,

dare to go to war with the most insignificant of the powers of Europe."

It is not possible for us to give any adequate picture of the almost supernatural activity of the great agitator. Day after day he was on the corn-exchange. On Sunday, after mass, at each of the parochial meetings, we meet with his encouraging presence, and the columns of the newspapers were filled in the intervals with the exertations of his indefatigable pen.

All this unremitting operation came to a climax in the grand meeting which was held on the 11th of April, in the theatre royal, to prepare petitions to the Queen and the house of commons, declaratory of their confidence in the actual administration of Ireland. The chair was filled by the duke of Leinster; and almost all the leading whig nobility either attended or gave their sanction in apologetic notes. The long and animated proceedings were closed amid the greatest excitement by a speech from Mr. O'Connell. We have preserved the last accents of his maledictory voice—"Shout," he cried, "The shout that that day emanated from that theatre would be heard in St. Stephen's, and it would cheer the heart of the Queen at St. James's. [*Great cheering.*] Let her Majesty be menaced by the ferocious despot of the northern deserts, let the more steady tyrants of Europe combine; let France—a country in which the King and the people seemed affected with a periodical insanity, break her fetters again; but let Ireland be governed as she had been by Normanby, and as she would be by lord Fortescue, and if any hostile step dared to tread upon the Queen's dominions, the foe to the throne should either surrender

or submit to be dashed into the sea."

The ministers in the meanwhile who were the objects of his anxious protection, were preparing for their appeal from the lords to the commons. As soon as the house had resumed its sittings on the 8th of April, lord John Russell declared his intention of proposing on the 15th instant the following resolution:—

"That it is the opinion of this house, that it is expedient to persevere in those principles which have guided the executive government of Ireland of late years, and which have tended to the effectual administration of the laws, and the general improvement of that part of the united kingdom."

On the following day sir Robert Peel gave notice that he should move an amendment on this resolution, and the probable manner of its wording became a matter of curious speculation. It was well understood the conservative leader would not venture to bring forward a direct negative of the resolution proposed by ministers, or indeed anything implying a positive censure of their Irish government. Such a proposition would, in fact, have rallied around them a larger majority than they could count upon in almost any other question, and what is of more importance, would have pledged the conservative party on their eventual restoration to office to a line of policy, which even if they really approved of, they were hardly prepared to avow much less pursue, in their administration of the sister kingdom. To evade all this consistently with a virtual negative of the ministerial resolution, was, no doubt, a matter of much difficulty, but it was felt that the management of it could

not easily be entrusted to more cautious or skilful hands than those of the conservative leader.

On the 12th following, sir Robert brought forward the draught of his proposed resolutions, which in their happy evasion of all the difficulties of the case, did certainly no discredit to the character of their author.—We give them at length ; before he read them, the right hon. baronet took care to remind the house that the first resolution was a mere “recital of facts ;” the second was the “substantive amendment.”

“Resolved—that on the 13th day of March last, a motion was made in this house for the production of various documents connected with the state of Ireland, in respect to crime and outrage ; including communications made to the Irish government relating to offences connected with ribbandism, and all memorials, resolutions, and addresses, forwarded to the Irish government by magistrates, or other official persons, in respect of crimes and outrages committed in Ireland, and the answers thereto.

“That the period included within the returns so called for, extends from the commencement of the year 1835 to the present time ; and that the motion made for the production of them was assented to by this house, no opposition to it having been offered on the part of her Majesty’s government.

“That, on the 21st day of March last, the house of lords appointed a select committee ‘to inquire into the state of Ireland since the year 1835, in respect to crime and outrage, which have rendered life and property insecure in that part of the empire.’

“That, in consequence of the appointment of such committee by

the house of lords, it has been proposed that this house should resolve ‘That it is the opinion of this house that it is expedient to persevere in those principles which have guided the executive government of Ireland of late years, and which have tended to the effectual administration of the law, and the general improvement of that part of the united kingdom.’

“Resolved, that it appears to this house, that the appointment of a committee of inquiry by the house of lords, under the circumstances, and for the purposes above-mentioned, does not justify her majesty’s ministers in calling upon this house, without previous inquiry, or even the production of the information which this house has required, to make a declaration of opinion with respect to one branch of the public policy of the executive government, still less a declaration of opinion which is neither explicit as to the principles which it professes to approve, nor definite as to the period to which it refers ; and that it is not fitting that this house should adopt a proceeding which has the appearance of calling in question the undoubted right of the house of lords to inquire into the state of Ireland in respect to crime and outrage, more especially when the exercise of that right by the house of lords does not interfere with any previous proceeding or resolution of the house of commons, nor with the progress of any legislative measure assented to by the house of commons, or at present under its consideration.”

The tactics of the radical party not less than of the conservative, were called into play on this occasion. We have seen that for some time past, a considerable portion of the ultra-liberals had not dissem-

bled their dissatisfaction with the general conduct of the present government, and many had even not scrupled to avow that they would gladly see it replaced by the tories. It was, however, impossible for them to withhold their sanction of that portion of Whig policy which was referred to in the present discussion, but compelled as they felt themselves to give their support to the motion of lord John Russell, they were still not disposed to do so gratuitously. Accordingly, when sir Robert Peel sat down, Mr. Duncombe stated, that in the event of the noble lord's resolution being carried, it was in his contemplation to move an addition to it in the following terms:—

“And that it is expedient also to effect such further reforms in the representation of the people in parliament, as would conduce to their contentment, and to the security and welfare of the kingdom at large.”

The reader may, perhaps, find some indemnification for the endless recurrence of identical charges and repeated refutation—the wearisome monotony of these long discussions, if he consider how large a portion of the attention usually allotted to Irish subjects of narrower and more particular interest, was, in this session, directed, in spite of party feeling, to the examination of the actual condition of Ireland.

On Monday, April 15th, lord John Russell moved his long announced resolution of confidence on the part of the house in the executive government of Ireland. The noble lord began by stating, in reference to sir Robert Peel's amendment, that his resolution had been restricted to the policy of the government in Ireland, because the

committee of the house of lords had been appointed solely with reference to that administration. Whenever the opponents of the ministry should think fit to censure any other department of the executive government, or its policy in general, they would not shrink from meeting such charges, but would reserve themselves, in the meanwhile, for the production of them. Their opponents, however, had selected other ground. Lord John said, he did not deny the right of the house of lords to make enquiry into the state of Ireland and the conduct of its government; but considering such a measure, under all its circumstances—the indiscriminate vehemence of the inculpations allowed to circulate—the limitation of time—the very name of the mover—he could not but feel that he was called upon to demand from the house of commons, a definite opinion upon the conduct of the Irish administration.

True it was, continued the noble lord, that the terms of the motion enabled its abettors to put upon it a less hostile construction, but this was a contrivance which diminished the candour of the proceeding, without abating in any way the bitterness of the accusation. Something more was called for than the adoption of the long “previous question” in the form of sir Robert Peel's resolutions. The nomination of that committee was a *primâ facie* vote of censure, and it was no more possible to avoid taking particular notice of its appointment, than to pass by a successful enquiry into the state of the nation, which had always borne a certain character in the eyes of parliament and the country. A parallel had been sought in the returns granted on Mr. Shaw's motion, but lord

Morpeth had disarmed that measure by extending the enquiry to a period antecedent to the accession of the present cabinet. And why, demanded lord J. Russell, was the motion not made in the house of commons? Why did the conservatives confine their motion in that house to a simple request for papers? The reason was to be found in the fact, that their opponents, in despair of passing in the commons a motion bearing a virtually criminatory character, had transferred to the upper house the scene of their censorious operations. For himself he protested against such a proceeding, and called upon the house to assert its inalienable right of passing judgment upon any manner of misgovernment where-soever it might be found to exist. This step involved no interference with the undoubted powers of the house of lords; and with regard to the rights of the two chambers, he begged them to consider, not the bare theory, but the necessary practice of the constitution. The house of lords had unquestionably the power of rejecting bills, even the most indispensable; but when they bore this character, or had the sanction of large and repeated majorities in the house of commons, it was required to pass them in the exercise of a sound discretion. It was possible, said the noble lord, in the further exposition of his doctrine upon this point, for these two assemblies to differ upon measures of legislation for some time without any serious peril or inconvenience; but no such difference of opinion could be actively maintained with regard to the executive of Ireland. Ireland could not be governed at the same time by lord Haddington and lord Normanby, and it rested with the

VOL. LXXXI.

house of commons to decide, whether the government of Ireland should be conducted in future according to the sense of the house of lords.

There existed a precedent for the course he was now adopting, in the protest made by the house of commons against the proceedings of the upper house in 1703, who had taken into their own hands the prisoners under arrest for conspiracy in the Scottish plot; and when, at a later period, soon after the passing of the reform bill, the lords had passed an address disapproving of the policy of the ministers, a gallant friend had lost no time in calling for an opinion of the house of commons upon that question.

After having thus laid down this constitutional view of the case, lord John passed on to another part of the subject,—the condition of Ireland. Turbulence and outrage, were, alas! no novel features in the annals of Ireland. From the beginning of the reign of George III. up to the present hour, combination had succeeded to combination for defeating the execution of the laws. Arthur Young and Mr. Barrington, lord Clare and Mr. Burke, bore their unanimous testimony to the truth of this statement. He met with penal enactments without number—Whiteboy acts and insurrection acts—but where was the government that had made any provision for the poor, or treated the catholics as subjects of a free country? or to come to more recent days, when persons of lord Roden's way of thinking had undisputed sway—it still appeared from evidence before the committees, that outrages the most atrocious were of ordinary occurrence, a fact that should

[F]

not be forgotten by those who imagined such calamities to be the exclusive production of lord Normanby's administration. Of late years, indeed, political intimidation had been mixed up with social disorder; the necessary consequence of the system of conceding to intimidation what had been denied to justice.

Turning then to the alleged increase of crime, and the abuse of the prerogative of mercy, the noble lord explained that the apparent increase in the number of crimes, was owing to greater vigilance in the pursuit of offenders, and made it appear that the proportion of convictions to acquittals, had increased from 40 per cent. in 1838 to 46 per cent. in 1838. The remission of punishment, in point of duration, amounted, after all, to no more than 140 months, or an average, to each offender, of about five weeks. Such was the so called wanton exercise of mercy.

The government, lord John continued, had done its best to discourage associations, and had expressed to Mr. O'Connell their disapprobation of the Precursor society. Lord Normanby was necessarily left to struggle with associations, because it had gone forth, and had been proved by experience, that to associations the legislature would yield what they would never grant to petitions.

The social evils of Ireland, the noble lord said, were in his opinion deeply connected with the tenure of land. The government had sought a partial remedy for these calamities in the new poor law act. "But after all," continued his lordship, "it is idle to expect any immediate removal of misery, the seeds of which were sown in days long past away. These enactments will

of themselves contribute little to such an effect. As a great statesman has said, Men do not live on blotted paper, the friendly or the hostile mind is far more important to mankind for good or evil, than the black letter of any statute. Deeply impressed with the truth of these principles, I now invoke your approval of a course of policy conciliatory to the Irish people, and, although, in adherence to the condemnatory judgment of the house of lords, you should reject this resolution, be yet assured that the ministry who would succeed the present one, would find no favour in the eyes of Ireland—rankling suspicion would still abide, that impartial benefits and indifferent justice were not to be expected at their hands."

Before he concluded, lord John adverted to the resolution respecting the extension of the suffrage which Mr. Duncombe had announced his intention to move, in the event of that which he now proposed being carried. "When that hon. gentleman," said the noble lord, "shall submit a definite statement of the extent and purport of the reforms in contemplation, I shall be ready to state my own opinions, not as they have been by some carelessly, and by others carefully misrepresented, but as I myself entertain them, resting as they do upon great principles of policy, and looking both to the present and towards the future."

"Should the amendment of the right hon. baronet obtain a majority in this house, that event, however dangerous to Ireland, and to the whole empire disadvantageous, will leave us no reason for regret. And come the dissolution of this ministry when it will, there will ever be consolation in the reflec-

tion, that we have not shrunk to incur obloquy or to impair our popularity with the view of strengthening the whole united kingdom, by knitting together the hearts of all her majesty's subjects, and founding a government in Ireland which should secure the opinion, the good will, and the affections of the people."

The noble lord was immediately followed by Sir Robert Peel, who began by declaring, that in his opinion, as he had so often recorded it, the practice of making abstract declarations upon questions of public policy, was a very unwise and inconvenient one, unless it were adopted under very special circumstances. The confidence of parliament ought rather to be inferred from the general character of the support afforded to the executive government, than made the subject of any explicit declaration. To make such resolutions the avowed instrument of a collision with the house of Lords, was an aggravation of the objections inherent in them, and the measure became still more unadvisable, when it was sought to restrict its expression to a particular feature in the administration. Every government, however excellent its general policy, might expect to incur, upon some particular course, the disapproval of the house; and it would be impossible, in such an event, for the public to ascertain the real opinion of the parliament upon the general tenor of the ministry, or for any cabinet to stand when one single branch of their policy had been successfully assailed. But, continued Sir Robert Peel, not only was this a partial resolution, it was at the same time unintelligible. They were called upon

for a simple approval of the executive government in Ireland. But lord Normanby could not be complimented apart from his colleagues whose policy he carried out. When a vote of censure, was framed, last year, by Sir William Molesworth upon lord Glenelg, they well remembered with what chivalrous devotion, rare alas! in political warfare, his zealous associates rallied around their colleague.

"Nihil iste nec ausus,
Nec potuit; cœlum hoc et conscia sidera
testor;
Tantum infelicem nimium dilexit amicum!"

What! said the noble lord who rushed forth on that occasion, the foreign secretary, could it enter into the mind of the hon. baronet, that the cabinet would consent to retain office at the sacrifice of one of its members, or that the house would abet them for a moment in such dishonourable conduct. It was clear, that the noble lord would not incur the reproaches cast by the sarcastic moralist upon the quondam companions of the

—"poor sequestered stag
That from the hunter's aim had ta'en a
hurt."

No. Lord Glenelg was not to be "left and abandoned by his velvet friends." Misery was not to part "The flux of company." This was indeed a generous decision—but it established the principle that the act of one member of the government was shared by all.* Therefore, said the right

* It is hardly necessary to observe, that Sir Robert here intended a sarcastic allusion to the subsequent sacrifice of the same Lord Glenelg, which had been made by his colleagues in the cabinet.

hon. baronet, a compliment paid to one department of the administration became the property of the whole. "Do you then extend the approbation of the legislative measures for Ireland? In that case, what becomes of the forty-six gentlemen who joined the member for Sheffield in denouncing your Irish policy." You confine it then to the executive—but even then you have not the courage to define the period submitted for our approval. No—you only point to the government of Ireland in *late years*; a term which has been applied to every period—from two to an hundred—you assume, that your government has been censured by the House of Lords—but instead of stating the principles for which you demand our sanction, you call upon us to approve whatever indefinite extent of administration may be commensurate with the lapse of time designated by the vague expression of "*late years*." I put this specific question, and I hope the noble lord will interrupt me to answer it, does your ambiguous language comprehend the government of lord Grey—do you include lord Wellesley or lord Anglesey, or is the marquess of Normanby to be complimented at their expense? If such be not your intention, how is it possible for those who have directed the utmost acrimony of their censure against the administration of the former noblemen, to vote for this resolution? You evade the difficulty—you do not like to make this invidious contrast, and would fain make your advantage under the screen of a convenient generality. But you probably take the more generous course, and comprehend the policy of earl Grey. Do you then

include lord Wellesley?—of course you do. But if you include lord Wellesley you must admit me. "Really," continued Sir Robert amid the laughter awakened by this felicitous transition, "you place me in a great embarrassment by asking me to vote for a resolution which conveys a direct approbation of my own policy. But perhaps you mean to exclude me. Well, I will take that for granted; but let me say, that I had the satisfaction of acting for five years, from 1822 to 1827, with lord Wellesley as lieutenant, and lord Plunkett as Attorney-general, and that the cause of our eventual separation, had no relation whatever to the policy pursued in the administration of affairs in that country; lord Melbourne also was secretary for Ireland when I presided over the home department, and I deny, that any disagreement upon Irish affairs led to our final disunion. What then is your limit? perhaps 1830—we were then excluded from power, and you brought forward the reform act. Or you may choose a later date, when lord Grey retired, and lord Stanley and Sir James Graham fell away from their former connections. Take it, then, from 1834; still you include me. The terms of your laudatory resolution point to no exception—and if you assume this epoch, the government over which I presided must come in for its share of public approval."

He now came, to another topic—the collision with the House of Lords, for such was the construction the country put on this proceeding—and in vain he looked for any justification of such a course. No; the appointment of lord Roden's committee was avowed to be the single ground of quarrel

—a virtual vote of censure. If this were true, all former committees must have borne a similar import. If the offence was felt to lie in the limitation, why had not ministers, in the proper place, moved for an extension of the inquiry, instead of making this application in the Commons. The hon. baronet said, he had no fear from an investigation of his own acts and correspondence. It might not appear in the event, that the Irish government had encouraged crime, but he did think, that there was ground for enquiry, and would suspend his censure until that enquiry was completed.

The lords were forbearing—and they were taunted with pusillanimity—and yet what a storm of indignation had arisen, when they had at length appointed a committee. The noble lord might contend, that such a measure was tantamount to a vote of censure, and seek to escape in a conflict with the lords; but let him not dream that the people of England would countenance the course to which he was committed. Ireland might be improved—that remained to be substantiated—but when the solicitor-general on opening the commission at Clonmel, had declared, that “in no place where the laws of England extended”—in no spot in fact in the civilized world—“was human life less regarded than in the county of Tipperary;” were they surprized, that men should call for an investigation into so lamentable a state of things. Or let the members of that house only imagine, an enquiry to have been similarly set on foot, in connection with the assassination of one of themselves, and suppose the lords had thereupon adopted

a resolution condemnatory of the proceeding, where would have been the limits to their reasonable exasperation. It might moreover be as well for them to consider what step they would next take, for without calling upon the lords to rescind *their* resolution, they would gain but little by adopting the present one.

Sir Robert then went on, with his usual adroitness and good fortune, to turn the precedent of the Scottish plot, to the discomfiture of those who relied upon it, and read, amid the cheering and laughter that accompanied his effective recital, the narratives of Tindal and Burnet, with their curiously applicable comments.

Lord John Russell had maintained, that the motion of the earl of Roden was an implicit censure on the government. “But, said the right hon. baronet, I beg to disclaim most distinctly, as leader of a party, any cognizance of such an intention. I had neither the inclination nor the wish to do so, and I can assure the house, that nothing ever surprised me more, than to hear as I did on the following morning, that ministers had abandoned their places in consequence of a motion to which I had myself attached so little importance. I went from home however, and called upon the duke of Wellington and my neighbour the member for North Lancashire, to inquire what they had heard, but found them both absent from town on this momentous occasion—the latter was in Lancashire, the former had left London that very morning for Hampshire. This was a step most unlikely to be taken under the anticipation of such an event as had been rumoured.” Sir Robert

said he had thus mentioned the reasons why he opposed the resolutions; he would further lay down the principles which ought for the future to prevail in the Irish administration. It would be the duty of those into whose hands the power might fall, to enforce the impartial dispensation of justice. In the exertion of the prerogative of mercy, a strictly judicial act to disregard all party purposes, all thoughts of personal display—to permit no religious difference to be any ground of favour or discouragement, and to discourage political agitation.

"Nothing," said the right hon. baronet, "could give me greater pain than to be obliged to condemn lord Normanby. From his very early youth I have known and esteemed him, and, in common with all others who shared his acquaintance, I rejoiced in the development of those great and brilliant natural parts with which he is unquestionably endowed. I believe, that, like lord Glenelg, the noble lord has displayed great official aptitude, and has conscientiously discharged his duty; and though he has not conciliated his political enemies in his public career, he has not alienated a single public or private friend. Sir," continued sir Robert, "I wish the noble lord had not touched upon the conduct of lord Normanby, but had entered upon the broad principles of general government. But I cannot vote for this resolution. I cannot affirm that lord Normanby has acted upon the principles I have just laid down; he has not sufficiently set his face against agitation; and, in the exercise of mercy, he has been—not indeed corrupt—but far too reckless and indiscriminate. Nevertheless I shall move no vote of censure;

it is not consistent with my view of the case to do so; but I will caution the house never, without overruling necessity, to have recourse to abstract declarations upon partial branches of policy; and I warn them well to weigh the consequences of entering into collision with the lords in a position of affairs, so little promising as the present, both at home and abroad.

Mr. Spring Rice replied to sir Robert Peel. He contended that the vote of the house of lords was an intentional censure upon the government; but if this were denied, then all which sir Robert Peel had said about collision was beside the question, for there could be no collision in a declaration approving of the conduct of ministers. He remonstrated against the unfairness of making the existence of crime in Ireland a charge against the present government, when nobody ever thought of censuring preceding administrations on account of turbulence and outrages in Ireland. Mr. Rice quoted instances of atrocious criminality under previous administrations, and contended that there were symptoms and evidence of improvement in later years. If, as was intimated by Mr. Duncombe's amendment, it were intended to assail ministers on general grounds, they were quite ready for their defence.

At the conclusion of Mr. Rice's speech, the debate was adjourned.

It was opened on the following day by Mr. Emerson Tennent, who was followed by colonel Perceval, Mr. Lascelles, Mr. Sydney Herbert, colonel Conolly, and Mr. Lucas on the side of the opposition; Mr. Smith O'Brien, Mr. Bellew, the O'Connor Don, sir William Somerville, and Mr. H Grattan sustaining the ministerial cause.

On the part of the opposition, it was argued that the tendency of lord Normanby's government had been to encourage disorder, even in districts which had been before comparatively free from excitement, by the remissness in enforcing the law, by the connivance at agitation, and the culpable prodigality which had been shown in the issue of pardons. Colonel Perceval distinctly stated that the lord-lieutenant had made his very first entry into Dublin at the head of a vast assemblage who carried banners with the same mottos as were borne by the rebels in 1798. One of these banners was emblazoned with an Irish harp without a crown, a device borrowed from the days of the rebellion. He had stated only what he had seen, and hon. gentlemen might deny it if they were able. In the tour of August, 1836, the noble marquis passed through Sligo; the county was then perfectly tranquil. On this visitation he was attended everywhere by vast crowds of people, perhaps 10,000, and preceded by flags flying. All the Roman catholic priests and agitators, and so-called liberals of the county, were there to welcome him, but very few of the landed gentry. This was the commencement of the excitement which had subsequently prevailed in Sligo, and affected him, as one of their representatives, to such a degree, that there was not a chapel in the whole county, except one, in which he had not been often denounced; nor was it safe for him to dine from his own home at a friend's house without remaining there all night. He mentioned this to show how much the residents in Sligo were indebted to the government of lord Normanby.

Mr. Lascelles supported the

amendment because it partook of the nature of the "previous question," but he would concur in no vote of censure. Considering the treatment which government had received at the hands of the opposition, he was surprised that they should be so eager, by seeking a collision, to exasperate passions which they ought to allay. If the government did feel the present state of affairs to be a crisis, it had not been brought on by the conservatives, but by themselves. It had not been the policy of the conservatives to disturb the government. With regard to himself, he might refer to all the votes he had given during the present session up to Easter; and it had not yet been his misfortune to vote against the noble lord opposite. He was aware that a portion of that house fancied that the support of the conservatives was more injurious to the government than their opposition. This was not, however, the fault of the conservatives. They performed their duty, and gave, whenever they conscientiously could, their support to the government.

On the other side, Mr. Smith O'Brien contended that lord Normanby had ameliorated the wretched condition of the people, which was owing to the mode of letting land and consolidating farms. It was stated by sir W. Somerville, that he had himself applied for several pardons without ever obtaining one. Mr. Grattan counselled union and forbearance on all sides; and the house, which had been thin and inattentive, adjourned, at the motion of Mr. Barron, at a quarter to one.

On the next evening, after some observations from Mr. Barron, lord Ingestrie, and sir R. Bateson, Mr. Grote contributed his costly sup-

port to the ministry in the following language:—"I cannot conceal from myself," said the hon. member, "that the question of Irish executive government is not on this occasion really put in issue by itself, and upon its own ground. The present vote is demanded as a negation of the censure—a formal counterpoise to the voice of the house of lords. Such a decision implies unavoidably more or less of general approbation, and I have no doubt that on the morning after the division, all the partisans of the government will point to the majority as an evidence of the high estimation in which the cabinet is held by the house of commons and the country. Aware, as I am, of the construction which will be put upon this vote, it has been to me a matter of much consideration whether I could, with any propriety, take part in it. But I certainly shall not do so without explaining what my vote is intended to imply. My vote on the present occasion goes no further than the literal terms of the resolution proposed by the noble lord. I intend to signify approbation of the principles upon which the executive government in Ireland has been conducted, and I intend nothing more. Others will connect with the expression of this opinion a feeling of esteem and concurrence with the general policy of the present government: I entertain no such feeling, nor is my vote meant to denote it. Others may include among the reasons of their vote a desire to maintain lord Melbourne's government in office: I harbour no such desire; I have no belief that their continuance in office is any benefit to the nation, nor would I concur in a vote for that purpose if it were separately and specifically proposed. In com-

mon with many persons desirous of progressive alteration, I have ceased to look for any such reforms at the hands of the present government; they preach the doctrine of finality, and what is that but a negation of all advance—the conservative principle announced in all its plenitude? That principle is now in the ascendant with the full concurrence of the present government, and, assuredly, could not be more predominant than it is, if the right hon. baronet, the member for Tamworth, were prime minister, with all the difficulties and responsibilities of office upon his shoulders. For my part, sir, I am opposed to a conservative and a finality government, by whomsoever it may be carried on; but if the country is fated to experience the misfortune of having a government conducted on such principles, it is to me a matter of perfect indifference whether the premier of that government be lord Melbourne or the right hon. member for Tamworth. It would, indeed, be gratifying to me to see an efficient liberal ministry at the helm; but, if that be forbidden, the next best condition is to have an efficient liberal opposition. At the present moment, for the first time in modern English history, we have neither a liberal ministry nor a liberal opposition. We have a ministry which, having once professed liberal principles, now neither manifest the will nor possess the power to accomplish any thing but conservative purposes; we have a very powerful opposition, which both now is and always has been consistently conservative. The patronage and emoluments of government are, indeed, distributed among those who are called liberals, but the real ascendant and influential principle of government is

that of the conservative body, whig as well as tory."

As a balance to this symptom of defection in the ministerial ranks, we may present the speech of Mr. Gibson, the conservative member for Ipswich, exhibiting evident traces of the insubordinate spirit, which not long after reached its fuller development in the open abandonment of his former party. With regard to the question immediately before the house, the hon. gentleman professed himself unable to come to a satisfactory decision. If the appointment of the lords' committee were really a vote of censure, he conceived that ministers would be entitled to ask the opinions of the house upon the question; and he would not wait for the report of that committee before he gave his own opinion, which he felt himself perfectly competent to declare, without waiting for the decision of any other body. But it was a matter of much dispute, whether the step taken by the house of lords was in effect a vote of censure. Ministers declared that it was. Sir Robert Peel and the duke of Wellington denied it. Mr. Lascelles said that it went far on the road to censure. Others held that it was a *prima facie* case of disapproval. As his parliamentary experience did not enable him to say whether censure was or was not intended, he should give no vote at all upon the preliminary question.

Sir E. L. Bulwer lent his customary aid to the ministerial cause. The hon. baronet was of opinion that, under the circumstances, the government could not do otherwise than come down to the house of commons for an expression of its approval and confidence. It had been objected that this was a par-

tial declaration; the reason was obvious, for a part only of their policy had been made the subject of censure. With regard to the more general question: if this were a proposition for a general vote of confidence, he would ask his hon. friend, (Mr. Grote) to point out in the history of the country any administration more closely identified with great and imperishable ameliorations; and called on him, as a practical man, to vindicate the elements of any government, which, on the whole would keep better faith with the gradual development of popular civilization.

The speech of the Irish solicitor-general, Mr. Pigot, was chiefly applicable to some strictures made on the preceding evening by Mr. Emerson Tennent. It was a charge, said the right hon. and learned gentleman, made against the Irish government that they had forbidden jurymen to be challenged on the ground of religious opinions, or any other reason which could not be specified; but Mr. Pigot argued that the new regulation had tended to create satisfaction in the decision of juries, and that it was most unjust that the public prosecutor, should be enabled by the practice of unlimited challenge, which was different from that which existed in England, to secure, as in former times, juries adverse to the prisoner. It had been said that the government had abandoned the right of reply in criminal prosecutions; but he could mention, in disproof of the assertion, a case in which a Roman Catholic priest, being the party charged, a Roman Catholic counsel engaged for the prosecution spoke to the evidence against the culprit, and the result was a conviction.... Mr. Pigot then went into a defence of some

of the legal and judicial appointments of the government, and subsequently read a statement in figures drawn from the returns of the inspectors of prisons to establish the fact of a diminution of offences since 1834.

Mr. Shaw complained that Mr. Pigot had avoided the charge made against the Irish government of indiscreet exercise of the prerogative of mercy; and he called particular attention to the liberation of two men, Bremhan and Gahagan, as furnishing proof that lord Normanby was more desirous of gratifying agitators and Roman Catholic priests than of enforcing the law. He had slighted the judges of the land, the sentences passed in their courts had been set aside; and the absence of those officers from the levees of the late viceroy might be attributed to this disrespectful treatment.

The house adjourned at twelve o'clock on the motion of Mr. Morgan O'Connell, who opened the discussion on Thursday with a speech in praise and defence of lord Normanby's administration. The practice introduced by that nobleman of "calling upon other classes besides the aristocratic to exercise the duties of jurors," was calculated to give the people a feeling of confidence in the administration. For the amendment, he could only look upon it as a simple declaration that the house did not think it worth while to express any opinion upon the government of Ireland.

The house was then addressed in the alternate order of their respective opinions by Mr. J. Young, sir David Roche, sir Charles Douglas, Mr. William Roche, Mr. Plumptre, Mr. Redington, and sir F. Trench,

Mr. Hume supported the motion, reserving his opinion upon the general policy of the cabinet. Mr. Lefroy then entered into a defence of lord Lorton's conduct to his tenants, but was shortly obliged to sit down amid cries of "question."

Lord Morpeth then rose, saying he felt it impossible to remain silent, although, having so recently gone into a vast number of statistical details, he should now for the most part, confine himself to general principles and broad results. He had no cause to quarrel with the tone of the speech of the right hon. baronet, which formed a striking contrast to those which the house was often destined to hear upon Irish subjects; and he was happy to say that the entire debate had been conducted with less acerbity than such questions usually produced. Lord Morpeth then proceeded to justify the government in bringing forward the motion on which the debate was founded. The animus of those who appointed the committee in the lords, and several speeches which had been delivered from the opposition benches in the house of commons, clearly proved that the appointment of the committee was held equivalent to a vote of censure, although sir Robert Peel had denied that such was the intention of the lords. That resolution had been framed in the true party spirit of carping and invidious crimination. It fixed its implied condemnation on the men who had administered the affairs of Ireland during a specified period; whereas lord John Russell's resolution left the expression of confidence to apply to all to whom it might be due. It had been asked why he had himself complied with Mr. Shaw's motion

for papers to illustrate the state of crime in Ireland : but that motion was carried in a thin and careless house of forty members, to be conducted by a committee composed of materials he need not describe—

“ If, said the noble viscount, the house of lords and the gentlemen opposite really and actually believed that any portion of the big words of charge and crimination, with which they are pleased to fill their mouths—[*Great laughter and cheering*—]—were capable of being substantiated, the impropriety of the late course of proceeding would appear in colours infinitely more glaring ; for enough has been stated twenty times over to warrant, I do not know how many, impeachments.

But if so grave a view were taken of the proceedings in the lords, why did not ministers resign ? It would have been a fair subject for consideration, and he was not sure whether it was not the most debatable point on which ministers had to decide ; but, considering the support lord Melbourne had received from the house of commons, he thought it more respectful to ascertain whether the representatives of the people, who called the present ministers into power, still sided with them, or had determined to join their opponents. With respect to the liberation of prisoners by the lord-lieutenant, all cases of this description had occurred in 1836. They had been the subject of prolonged explanations. Neither house thought it necessary to take any step in the matter. Whether the experiment had failed or not, it had never been repeated. Was it, asked lord Morpeth, responding to the significant cheers of the opposition, an offence that it had not been repeated ?—Was that the

matter with which the government were now charged ? [*‘ No, no ! ’*] Then what was the meaning of the shouts with which he had been met ? But so it was the other night. His noble friend was sneered at for calling their attention to the conduct which the lord-lieutenant pursued subsequent to the period when the subject last came before parliament. It seemed, indeed, that the exercise of the prerogative of mercy was the only subject upon which no statute of limitation was to run, the only crime which was inexpiable and not to be forgiven.” [*Great cheering.*]

Lord Morpeth explained at great length the two cases adduced by Mr. Shaw as proof of the improper exercise of the pardoning power. He asserted that in both, the lord-lieutenant acted with great consideration, and on the well-considered advice of the law-officers of the crown.

The most instructive portion, however, of the noble secretary’s speech consisted in the communications respecting the price of land in Ireland, which he had procured from some of the leading land agents, as an effectual test of the statements which had been made with regard to the insecurity of life and property. We give some of the results of this enquiry.

It was stated by Messrs. Blakeney of Galway that fifteen years ago, and from thence till within the last five years, land in that county and neighbourhood had been invariably valued at twenty years’ purchase. Since the latter period, and up to the present time, land had been advancing in value, and now rated as high as twenty-five years’ purchase, and in some instances twenty-seven years’ purchase had been obtained.

Mr. Drew Atkin, who had been professionally engaged for the last fifteen years in the purchase and sales of land to a large amount in the counties of Cork, Limerick, and Tipperary, stated that fifteen years ago, lands usually sold for from sixteen and a half to eighteen years' purchase. Ten years ago from eighteen to twenty years' purchase. Five years ago twenty years' purchase might be considered the standard value. At the present time from twenty-two to twenty-three and a half years' purchase was required, and from twenty-one to twenty-two years purchase freely given. Mr. Atkin further observed that this sudden advance in the value of land was referred to the tranquillity produced by the recent enactments in respect of tithes (although not considered a final measure), and the experience of the probable working of the poor-laws in Ireland.

Another agent, Mr. Carsland, deposed that land had risen in value during the last fifteen years all over Ireland. In some counties, however, the increase had been much greater than in others. In Dublin, Carlow, Wicklow, Wexford, Tyrone, Derry, Longford, Monaghan, part of Cavan, Down, Louth, Armagh, Fermanagh, and Antrim, the price of land had increased from three to four years' purchase in the last fifteen years. In these, and especially the five last mentioned counties, where estates had been in great demand for the last twenty years, well circumstanced property would bring from twenty-eight to thirty years' purchase. In Down good estates readily brought thirty-two or thirty-three years' purchase, which was equal to the average value of fee simple property in the best parts

of England. In the remaining counties estates taken generally, sold for twenty to twenty-two years' purchase, in the case of those which were let at moderate rents, and not over-crowded with tenants.

Again, Mr. Donnehey, of Dublin, pledged himself to the accuracy of the following statements of the rise in the shares of different public companies. On the arrival of lord Normanby, the shares of the mining company were selling at 63 per cent. discount; at the time of his departure, they had risen to a premium of 93. In the same interval, patriotic insurance shares had advanced $16\frac{1}{2}$ per cent; national insurance shares 13 per cent.; city of Dublin steam company shares, $16\frac{1}{2}$ per cent.; and Hibernian bank stock, $11\frac{1}{2}$ per cent. On the paid up capital; while grand canal stock had advanced 4*l.* 12*s.* 6*d.* per share, 4 per cent. canal debentures, 3*l.* 15*s.* per share, and 6 per cent canal debentures, 1*l.* 5*s.* per share. In the mean time, the number of depositors and the amount of deposits in the savings banks throughout the country, had greatly increased. In the North-street bank alone the depositors had increased one-third, while the deposits were in a still higher ratio.

"And now," said lord Morpeth, in his rather imprudent peroration, "whatever be the import of this demonstration of the lords, whether it be a mere exhibition of impotent hostility, or according to what I must believe to be the more accurate view of the case, amount to no less than an attempt to supersede us in the due conduct and controul of the executive government of Ireland, we are, at all events, determined to have this point cleared up; we

will not accept your commentaries, nor your gloss, nor your palliations. We will leave no room for ambiguity. We have had enough of partial attacks and isolated charges—of innuendoes and abuse—of motions for papers here and for committees there. We now come for a direct, and unequivocal opinion at your hands; we will take no low ground; we will exist no longer on sufferance. [*Loud cheers from the opposition benches.*] We tell you that we will not put up with passive acquiescence, or bare endurance. We will not be even contented with acquittal. My noble friend asks you this night for a direct, downright vote of approbation. In the name of the Irish government, and of the whole government, as implicated in its Irish policy, I assert fearlessly that we have deserved well of our country. This is a conviction which no taunts of yours can lessen the force of; and, upon this issue I call you, the representatives of the empire, to come this night to the vote. [*Long continued cheers.*]

Sir James Graham, who followed lord Morpeth, complained, that he had not succeeded in ascertaining from the language held by ministers, what their real object was in bringing forward this motion. If by such means, they thought to prop up their tottering cabinet, the attempt would fail. Men looked upon it as a sort of cordial given to a dying man, but none could hope that it would sustain the patient long. Ministers were doomed to fall—not from any hostile effort of the opposition, but from an honest division of opinion among their own supporters, upon questions of great national importance.

The remainder of the speech consisted chiefly of charges against the late lieutenant, of misuse of patronage, and encouragement of agitation. These were put forward with his customary force and spirit, by the right hon. baronet, but it is impossible to give a summary of this multitude of unconnected materials.

Mr. Duncombe moved the further adjournment of the house, and, on the next evening, proposed the amendment of which he had given notice, in the hope, as he expressed it, “in the scramble of of parties, of getting something for the people.” The ministerial resolution, he admitted, was a good one, but it did not go far enough. The whigs, he was aware, would oppose him, but were they acting upon the principles of Mr. Fox, the god of their idolatry? Was Mr. Fox a finality man? That great whig leader would never have stopped short, saying, we have got a constitution which shall not be altered.

Sir George Sinclair then delivered a very clever and amusing, but rather a desultory speech. We select, almost at random, the following passage on the public estimation of the house of commons. “It is alleged,” said the hon. baronet, “that we display no energy, and dispatch no business; that we say little that is worth saying, and do little that is worth doing; that country gentlemen were never summoned to so little purpose in the month of February from their families and their firesides; that we are chiefly notorious for the intolerable length of our speeches, and the interminable adjournment of our debates; that whilst the ministers have kept back everything important, the

conservatives have brought forward nothing aggressive ; in short, the relative position of the two great parties has been compared to that of the French and English guards at one of the battles in the seven years' war, who, on that occasion, treated each other with a somewhat unseasonable ceremoniousness, and began by interchanging bows instead of bullets, until the French exclaimed, in the exuberance of their national politeness, 'Gentlemen of the English guards pray be pleased to take the first fire.' There appears to have been, during the early part of this session, a similar unwillingness to strike the first blow ; but this *tuez les premiers* system is, at last, come to a close. The whole country nauseates the very name of reformed parliaments, and is loudly complaining of the lamentable and almost laughable inefficiency with which public business has been transacted in these assemblies. It is with great truth asserted, that we have been more lavish of public money, more indifferent to public opinion, more neglectful of the public interests, than our much calumniated predecessors. The general opinion is, that her majesty's ministers do nothing, the radicals help them, and the conservatives look on. And why this evasive and temporizing policy ? Merely in order that ministers may continue, until the latest possible moment, at all hazards, and at any price, to enjoy the loaves of place, and to distribute the fishes of patronage."

Mr. Ingham, who had hitherto passed for a conservative, declared his approbation of lord Normanby's administration, and his determination to support the motion.

Mr. T. B. Hobhouse spoke for-

cibly in favour of the resolution. One of the most effective speeches of the debate proceeded from Mr. Leader, who said, he gave his reluctant adhesion on this occasion to the motion taken in its most restricted sense, only lest he should seem to evince any hostility to the Irish people. He took this course the more reluctantly, from the conviction, that notwithstanding the narrow ground upon which the debate had been conducted, the government, when they had obtained the small majority which awaited them, would take credit for a general vote of confidence, and give circulation to that opinion.

If such was their fancy, whence did they gather that presumption ? Did they pretend to the confidence of the great party opposite, who lent them from time to time their indispensable aid at the price of undisguised contempt ? Could they, on the other hand, imagine, that they found any favour with the radicals in that house, because they lent them an accidental support against the conservatives ? No—the only quarter in which they could look for countenance was the Irish party. But did even these extend their approval to the legislative measures of the ministry ? Were they satisfied with the disreputable abandonment of the appropriation clause ? Or were they able to discover in the precursor society any consolatory considerations ? All the influential classes of the kingdom were alienated from this administration. From the gentry they had notoriously nothing to expect ; they had disgusted the manufacturing interests by their demeanour on the corn-laws. In no meeting of the working classes in any town in the land, would a supporter of the

government be for one moment tolerated ; and the event of the recent elections at Carlow and North Devon was in keeping with this picture. What, then, remained for them—the Irish members upon strictly Irish questions, and their own whig placemen in that house. How, then, it might well be asked, do they still continue to exist ? “ Because,” said Mr. Leader, “ the hon. gentlemen opposite, are not yet ready for office, or, it may be, do not like the aspect of the political horizon, or do not choose, for other reasons, best known to themselves, to exercise their unquestionable power. But, above all, the radicals have not yet made up their minds to join in a vote which would restore them to the ministerial benches. What a miserable position,” exclaimed the hon. member, “ for a government to be in ! The noble secretary for Ireland had declared last night, that the government was determined to exist no longer, ‘ on sufferance.’ ” “ I say,” said Mr. Leader, “ that they have remained in power these two years on sufferance. I say more—that they exist this moment by the sufferance of ten or twelve men ; and that if ten or twelve of those sitting on this side, were to join the hon. gentlemen opposite, they would cease to be a government. I say, moreover, that if a general vote of want of confidence were proposed, more than ten or twelve on this side, would support that vote against the government. In what position, then, is the government placed ? Why, the right hon. member for Tamworth governs England. The hon. and learned member for Dublin governs Ireland. The whigs govern nothing but Downing-street. The right

hon. member for Tamworth is contented with power without place or patronage, and the whigs are contented with place and patronage without power. Let any honourable man say which is the more honourable position.” [*Mr. Leader then sat down amid the plaudits of the opposite party.*]

So large a portion of the speech of Mr. Shiel was directed to meet the several charges against lord Normanby, which have been so often reproduced in the course of these long discussions, that we shall confine our notice to his very eloquent peroration. “ You would inquire,” he exclaimed, “ into the state of crime in Ireland. Spare yourselves that superfluous labour—let your wonder cease. If any other country had been governed as you have governed us, would not the results have been the same with those presented by that island for whose guilt as well as misfortunes it ought to occur to you to hold yourselves responsible ? Take any country—take, if you please, that of the hon. member for Kilmarnock, who is making notes of what I am uttering—I will furnish him materials for a reply, by enquiring of him, or of any Scottish gentleman who hears me, what would have been the fate of his own prosperous nation, under the application of such policy as has been adopted towards that ill-fated country, whose calamitous condition you are now lamenting. I would ask if Scotland had been portioned out by the sword of military rapine, among merciless adventurers—if, after the work of robbery was done, a code for the debasement of the presbyterian population had been enacted—if the presbyterians of Scotland had not only been de-

spoiled of their property, but deprived of all power to acquire any—if they had been shut out of every honourable employment. If they had been spoliated of every political franchise—deprived of education—and brought down to a state of worse than feudal vassalage;—and if, moreover, all these legislative atrocities had been perpetrated under the pretence of maintaining an episcopal establishment among a degraded Calvinistic people—have you any doubt—can even the member for Kilmarnock disbelieve that Scotland would now present to tory orators a field no less desolate for their mournful expiation?

“Inquire, forsooth into the state of Ireland since 1835!—no sir; but from the day on which to rapacity, to cruelty, to degradation, to oppression by which the wise are maddened, our wretched island was surrendered—from that day to this hour let your inquiry be extended, and you may then learn, that it is not at the door of lord Normanby that Irish atrocities are to be laid, but that they should be deposited at your father’s graves, that the long inheritance of their guilt should descend upon you. And you think,” cried this impassioned speaker, “to plant your feet upon our neck.—Ha! be not too sure of that! We are no more what once we were—no nation, but a mere degraded populace. An unexampled change has fallen upon those mighty numbers, who in progressive recovery from the effects of conquest, rapine, and oppression, have brought to bear upon a tyranny, once deemed as irresistible as it was remorseless, the resources which nothing but a cause just beyond all others in the sight of heaven, and the deepest

consciousness of the heart of man could supply; and after a struggle, of which the fame should be as imperishable as the results are everlasting, by dint of energetic resolution, and union indissoluble, have won from their antagonists their irrevocable freedom. These are they that following up that noble event in no unworthy spirit, became the auxiliaries of their British fellow citizens in another great achievement, and now demanding equality as its only alternative, and putting in for that equality a justly imperative requisition, stand before you in one vast array, in which with increasing numbers, increasing wealth, increasing intelligence, and consolidated power are associated, and offer to your most solemn thoughts a series of reflections, which should teach you to beware of *collision with the Irish people.*”

Mr. Colquhoun endeavoured in vain to obtain a hearing, when, after an attempt of a few minutes, he resumed his seat. The speaker put the question, and upon this, as Mr. O’Connell who was expected to speak, gave no token of any intention then to rise, lord Stanley addressed himself to the debate. He was of opinion, that the public comparing the course of the two houses of parliament, were likely to approve that of the lords, who had inquired before they would judge, and to disapprove that of the commons, who were leaping to judgment without inquiry, in a manner at once hasty and weak, unjustifiable, and ineffectual. After reading some letters, one from a Roman Catholic gentleman, depicting in strong but sober colours, the misery and insecurity of various parts of Ireland; he said that he was far from im-

puting those evils as crimes of the government, but that he could hardly think it unpardonable in the lords to have deemed them deserving of inquiry. It was not strange that they should wish for investigation when they found agrarian disturbance and political agitation thus moving hand in hand. In eleven counties of Ireland, exclusive of Tipperary, he found, within a twelvemonth, 277 committals for murder, the cases of manslaughter not being comprehended in that number; but, of the whole 277, only three were followed by convictions. In such a state of things he could not say with the resolution, that the law had been effectually administered. Still less could he aver that any such good had been produced by the principles of the present government. They had not even specified what those principles were. It had been said in the debate, that lord Normanby had introduced a new principle into the criminal law—of governing by affection without fear. New, indeed, to exclude the fear of punishment from the criminal law! Another principle of lord Normanby's government was said to be the distribution of office without reference to religious opinions. Why, that was not peculiar to lord Normanby's government: since the Roman Catholic relief bill every government had acted, and every government must act, upon that impartial rule. He himself, when secretary for Ireland, had promoted Mr. Perrin, Mr. O'Loughlen, Mr. Woulfe, and Mr. O'Connell, with reference solely to their professional claims. This vote, when agreed to, would be of no value to the government. It would have no operation at all on the lords; and on the character of the commons it

VOL. LXXXI.

would produce a bad one, by evincing a want of common prudence. The majority by whom it would be carried would be a very small one—less than the number of the official members in the house—and it would be obtained only by the aid of unwilling friends and hard taskmasters.

Mr. O'Connell no longer embarrassed by the apprehension of having lord Stanley in his rear, rose at length, amid cries of "question." After making a disparaging comparison of that noble lord with the member for Tipperary, whom he had attempted to answer, and indulging in violent personalities against Mr. Pluntre, who had spoken in severe terms of the Roman Catholic clergy, the hon. member proceeded to the defence of the Irish executive. He went over a good deal of ground—but the orations of Mr. O'Connell are usually more distinguished by animated but incoherent, invective, than by accuracy of statements, or closeness of argument, and the present occasion cannot be excepted from the general rule.

Sir Francis Burdett attempted to speak but was forced to sit down again by the shouts of "divide" and "question." Lord John Russell then replied.

The house divided on sir Robert Peel's amendment. The numbers in favour of it being 296; against 318: majority 22.

Sir Robert Peel declined dividing on the original motion. The division was then taken on Mr. Duncombe's rider. For 81; against 299: majority 218.

On the 16th of February, after proposing that the paragraph in the Queen's speech, relating to the Irish municipal corporations should be read; lord Morpeth again moved for leave to bring in a bill

[G]

for the regulation of those institutions in Ireland.

The main point in dispute between the two houses at the close of the last session was the amount of the franchise; and it will be remembered, that the house of lords proposed that this should be acquired by the occupation for twelve months of a tenement of the value of 10*l.* to be made up of the sum at which it was rated to the relief of the poor, taken together with the amount of the landlord's repairs and landlord's insurance. The lower house, on the other hand, when the bill was sent back, proposed that the occupation of a tenement rated at the *net* annual value of 8*l.* for six months, should confer the qualification in question. This franchise it was proposed to retain in the present measure; and the only material difference between this bill and the project of 1838, as amended finally by the commons, consisted in the provision which was now made for the eventual adoption of the English franchise. Lord Morpeth proposed, that in whatever town, otherwise competent to receive such institutions, the poor law act should have been in operation for three years, all persons resident for that period and rated to any amount, should be entitled to vote for the election of municipal officers. No alteration was made in the method of appointing sheriffs. The town council were to transmit a list of these persons to the lord lieutenant, who might select one. Should he disapprove of all these, another list was to be sent in to him, and in case of his refusal, to nominate a person out of the second list; it would then be competent to him to make the appointment himself.

Schedule A, containing the

towns in which corporations were to be established, remained the same.

With regard to schedule B. which enumerated the towns to which municipal institutions might be granted on petition of the inhabitants, it was proposed, that without the signatures of an absolute majority, the crown might establish corporations in those places, as well as in any other town of 3,000 inhabitants, in which there might be a number of persons occupying premises at not less than 4*l.* per annum, sufficient to make up a constituency.

When the bill came to a second reading on the 8th of March, it met with the opposition of several of the more uncompromising of the conservative party. It was however eventually carried through this stage by a majority of 26, by the aid of lord Stanley and sir Robert Peel. The right hon. baronet, on this occasion, made some sensible observations with regard to the unconceding demeanour which some of his party thought it their duty to assume. He wished it were in his power to take that course which was open to some of his hon. friends to take—that is, to act upon what were called exactly consistent principles, and give their individual votes against any change whatever. That certainly was a course exceedingly convenient, and exceedingly acceptable to those who could follow it. But those who were honoured—and he felt it the greatest honour that could be conferred upon him in public life, infinitely greater than the most distinguished rank or office—those who were honoured with the confidence of the leading gentlemen of England, in the most powerful

party that ever acted in opposition to a government, could not take that convenient course. In proportion to the great influence and deep responsibility of his position, was the obligation to consider comprehensively the whole state of the country, and the difficulties which environed the settlement of the question that called for their decision. However desirable it might be, systematically to adhere to an opinion, to express no sentiment at variance with those formerly entertained, and however convenient it might be for individuals to think, that they had always pursued the same course, it was impossible for a great party to risk the loss of public confidence by refusing any modification in their opinion, which perplexities in public affairs might render advisable.

The bill was committed pro forma, on the 19th of April, after unaccountable delays and postponements, in order to receive an addition of thirty-four clauses, which should have made part of the original measure, and on the 4th of July the house at length went into committee upon clause 20, section C. the most debatable feature of the bill. Mr. Shaw proposed, on this occasion, that the words of this clause from the word "that" to the word "provided," should be left out, and an amended form introduced. The effect of this insertion was to introduce a 10% qualification which had been the ultimatum of this party in the preceding session, and to extend the term of occupancy from six months to twelve, that of residence from three to six, while it limited the time for the payment of arrears of taxes, from six to three months.

Lord Morpeth declared his intention to adhere to the plan of adopting an 8% franchise for three years, and of introducing at the end of that period, a franchise similar to that existing in England. In fixing this rate, they said they had been guided by the consideration, that it was the tendency of every system of rating to produce a return lower than the actual value of the property rated, and they hoped, also, to attain greater accuracy, by the poor-law valuations. Under this impression it had not been thought expedient to screw up the franchise up to the amount which had been proposed in the absence of the same means of exact estimation, especially when it was considered, that no deduction from the required amount of an 8% franchise, was to be made in respect of landlords' repairs or insurance. Lord Morpeth said he also anticipated the best effect from the eventual assimilation of the franchises.

Lord Eliot who acts independently of his party on this question, renewed the expression of his regret at the apparent disposition to sacrifice a second opportunity of determining this subject for a point of difference so insignificant. The usual deductions made by valuers of land in England, averaged from seven to fourteen per cent. He would take it then at ten per cent. It followed said the noble lord, that the only diversity between the rival proposals, amounted to no more than 1% upon the qualification; or, in other words, the noble lord proposed a franchise of 8%; while the amendment of Mr. Shaw gave one of 9%. Was it worth their while to squabble about such a point?

Sergeant Jackson supported Mr. Shaw's amendment.

Sir Robert Peel then observed, that he had last year proposed a 10% qualification subject to the charges specified, less in conformity with his own convictions, than in fulfilment of the assurance which he had given to those friends whom he had induced to waive their opposition to the measure. Nothing had been since alleged to effect any alteration in his views on that subject, and he only regretted, that it had not been brought under discussion at an earlier period in the session. In reference to the other important provision of the bill, sir Robert Peel contented himself with stating, that as they had deferred providing for the constitution of Canada until a future period, he objected upon the same grounds to their now deferring what municipal franchise in Ireland should be in 1842.

The division was taken on the original question, when there appeared, ayes 104; noes 54: majority 50.

Sir R. Ferguson moved the omission of the 22nd clause, which settled the qualification at the end of three years. After this, Mr. Shaw endeavoured to add to clause 71, a proviso which declared, that nothing in the act should be construed to dispense with the obligation of any person to make the oath provided by the Roman Catholic relief act. The right hon. mover who stated that the intention of this addition was merely to leave the law as it stood before, was however left in a minority. The rest of the bill was then agreed to, with the exception of schedule B., which was postponed. This measure reached its final

stage in the lower house on the 15th of July.

Sir R. Inglis then moved, that it should be read again on that day three months.

The house divided upon the original question, and it was passed by a majority of 76; the ayes being 97: and the noes 21.

On the 22d of July, when the house of lords were on the point of proceeding to the order of the day for the second reading of the municipal corporation bill, Lord Brougham seized the occasion of stating the course which he meant to pursue with regard to it—a course, he said, so entirely different from that which other noble lords would probably adopt, that he felt it would be fairest to address them thus at the preliminary stage. Whatever, then, were the merits of the principle, or the perfection of the details, his objection to that bill was still the same:—this was the 22nd of July. For six months their legislative functions had been almost in abeyance, while they waited night after night for measures to be sent up from the other house, and now, at the very end of the session, their tables were daily loaded with scores of enormous bills in every stage of progress, the discussion of which, he said, was a matter of physical impossibility. To come only to the bill in question. It contained no less than 256 clauses, some of these were remodelled, fifty were perfectly new, and altogether they made up a volume larger than the statute book for the first thirty-eight years of the reign of Elizabeth. This was nevertheless but the first of ten or eleven great measures which stood for second readings and other important processes on the printed list of busi-

ness for that night, and the few remaining hours of the session were similarly overlaid. He was reminded that the bill had been brought into the other house in February. If so, exclaimed the noble lord, what had they been doing in the other house, that temple of Themis, or whatever exceeding halt and lame divinity presided over it? What could they have been doing during the six months of their deliberation, if they had been unable to send up till now a measure whose importance was expressly characterised in the speech from the throne. There were some men who declared that their lordships' house was a nuisance in the constitution, and ought to be abolished. That, said his lordship, was a most pernicious and anomalous proposition which he had always combated, although he was often under the necessity of differing from their lordships, and had never said behind their backs half so much as he had taken the liberty respectfully to state in their presence. That was an absurd proposal. But was it more unreasonable than the conduct of those who would retain the house of lords as a living branch of the constitution, at the same time that they called upon them to decide in a fortnight upon measures which had been for six months in preparation in that other laboratory of immature and abortive legislation. Besides all this, continued lord Brougham, it was not enough that their lordships should agree in the principle of a bill and approve its details, for no person instructed in the constitution of the two houses could be ignorant of the invaluable services rendered by their lordships in correcting and amending the

bills which were brought up from another place.

Let them be treated as cyphers, forbidden to exist as a legislative body, commanded merely to register the acts of the house of commons; this might be well, and he could understand it. But to have all the responsibility thrown upon them, and to be told at the same time to discuss a multitude of measures when it was physically impossible to do justice to any one of them; this was a mockery, and an insult to their understandings. The remedy was in their own hands. Let them only show that bills sent up at this season of the year would be at once rejected on the ground of the advanced period of the session, without so much as entering into the merits of the several measures. They had but to maintain this determined course, and hereafter, he would answer for it, bills would be introduced in their proper place, and those which came on first in the other house, would be brought before their lordships at a convenient period.

Lord Melbourne observed that the strictures of his noble and learned friend applied to a state of things that had been in existence as long as parliaments had themselves existed. Of the many conjectural reasons for the practice that had been suggested, the most natural one appeared to him to be, that it was a habit with assemblies of the kind, in all parts of the world, to allow the really practical measures to accumulate and gather together until near the close of the session. At its commencement a representative assembly, and the other house of parliament in particular, was usually occupied with party operations, and the noble lord must be aware that it was

neither politic nor convenient to originate bills in their own house. The course which was now recommended to their lordships was one which virtually they were very much in the habit of pursuing. There could be no more effectual argument with their lordships against a bill than that which urged them to throw it out on the grounds of the lateness of its introduction, for they were by no means ready to pass any bills but those which it was felt to be neither wise nor prudent not to pass. With regard to the present bill the house would remember that the main provisions had been now for three years under consideration, and were to a great extent recognized and sanctioned by them. The measure was, in fact, of their own making, and the principal bulk of it consisted in those amendments which their lordships had introduced, so that this measure was in fact much less open to the strictures of the noble and learned lord, than any other which might arise from the house of commons.

Lord Melbourne was supported by lord Stuart de Decies and lord Lurgan, and the bill was read a second time in spite of the declamations of the earls of Roden and Wicklow.

On the 25th of July, before the house went into committee, lord Lyndhurst gave notice of the amendments which he intended to move in the course of the evening. If the bill passed in its present state, the noble lord contended that in every town in Ireland, with the exception of those of the northern province, the public functionaries from the highest to the lowest would all be radical and Roman Catholic. It was therefore his intention to vote against the third

reading, in the event of the bill coming unaltered out of the committee. The only amendment of the noble lord which subsequently gave rise to any serious discussion, was the substitution of the 10*l.* qualification for that proposed in the bill before the house.

Lord Brougham expressed his apprehension that the preponderance of Roman Catholics so much dreaded by lord Lyndhurst in the municipal councils would be the inevitable result, not of any organization whatever, but of the great numerical inferiority of the protestants in Ireland. His noble friend hoped to find somebody neutral in religion and in politics. Now, said lord Brougham, a neutral in religion was a very odd sort of a person—he must be neither of one religion nor of another, and he for one did not much expect to see such a person. If, however, they found a neutral in religion, they ought to guard him by shutting him up in a cage; but a neutral in politics was a much more desirable person, and should they light upon such a one, he was so great a rarity that they ought to preserve him in a museum, for he had never seen so rare an animal in any museum. If, continued lord Brougham, they really wished to make these religious conflicts less numerous, their lordships ought not to recognize them; for the framing of any measure with the purpose of meeting these differences, would only have the inevitable consequence of perpetuating their existence, and the legislature would give, in fact, the sanction that it pretended to withhold. The present bill took an 8*l.* franchise; the noble lord had said he would accept a 10*l.* allowing certain deductions; and he would ask his noble

friend whether it was worth while to oppose the people of Ireland for a difference of less than 20s. especially when it was remembered that an 8l. house in Ireland was of much greater comparative rent than a similarly rated tenement in England.

Their lordships then went into committee, and lord Lyndhurst moved his amendment for making the qualification 10l. Lord Melbourne objected to this charge, and could not but think that their lordships were acting no very worthy part in raising difficulties in the way of what they all considered desirable, the settlement of the question. This remark elicited a brief rebuke from the duke of Wellington, and the house divided upon the original question. Contents, 50; Non-contents, 93; Majority, 43. The clause so amended to stand part of the bill. A number of other amendments were made in conformity with lord Lyndhurst's suggestions, and the bill was ordered to be printed. The report was brought up on the 2nd of August, and on the 5th of the same month it was read a third time and passed.

On the 12th of August lord John Russell moved the order of the day for the consideration of the lords' amendments. The noble lord then stated, that it was not in his opinion advisable to take objection to the bill on the question of privilege on account of certain clauses transferring certain fiscal powers from the grand juries to the new town councils, which had been struck out in the other house, and to send it back to the lords. The only other course was to bring in a new bill, either now or at the beginning of the next session. The house was too thin, the season was

too far advanced for the former step, and he would therefore move that the amendment be taken into consideration that day three months, in the hope that he might be able finally to adjust the question early in the ensuing session. This motion, after a speech from Mr. O'Connell—was agreed to.

Three weeks before the close of the session, on the 6th of August, lord Brougham brought forward his long menaced resolutions (which we subjoin below) on the administration of justice in Ireland under the marquess of Normanby. The speech of the noble and learned mover, who drew his principal materials from the evidence taken before the late committee of the lords, exhibited no bitter or personal feeling towards the late viceroy; the strictures were confined to his public measures, and the debate in general was conducted in a tone rather friendly to the noble marquess by the opposite party, and it is said that in accordance with this disposition the report upon the evidence of the Irish committee, which had been in a great measure drawn up, was subsequently suppressed.

The oration with which the noble and learned lord himself introduced the resolutions on this occasion was distinguished by his masterly and comprehensive exposition of the subject with all its subordinate features, nor were there wanting many an elaborate period, and flights of vehement oratory, to which lord Brougham seems to lend himself more frequently in his autumnal years, than he was wont in the earlier portion of his active and stimulated life.

The very great length, however, of the speech in question, and the perhaps inordinate room which the

topics already occupy in our preceding pages, make it difficult for us to do justice to its merits, or present the reader with anything but an imperfect outline.

The noble lord set out with a vindication of his own impartiality. "If" said he "the experience which your lordships have had of me, as an advocate at your bar—as a president in your judicial deliberations—if the whole tenour of my public life of thirty years and upwards, wherein uniformly, more it may be by good fortune than any merit of mine, I have held without deviation, or change, or shadow of turning, in the same course, and been guided by the same political principles; if this gives no pledge that I am here only to execute a public and indispensable duty, what other pledge more sacred can I offer you? only this—that your lordships shall see how I perform the task that I have undertaken; and then, whosoever of the accusers may be disconcerted, or whosoever of those who are put upon their defence may be disappointed, whatever party feeling may possibly be thwarted by the mode in which I shall discharge my duty, your lordships will then acquit me of becoming on this occasion, what I never made myself before, an engine of party or personal attack."

The noble lord would proceed at once into the heart of this great subject. The topic first in order was the difficulty of procuring witnesses to appear at trials. In England, upon ordinary occasions, they would come forward when called upon, rather than forfeit their recognizances. In Ireland, on the contrary, they suffered their recognizances to be estreated; the process of levying the penalty was gone through, but in the great

majority of cases it was a mere form, and no fine was actually taken. After twelve or fifteen days they [were let out of prison, and thus the punishment became as nominal as the estreat and the levy. He proposed therefore that where the recognizances were estreated, and the penalty could not be exacted, the witness should undergo the punishment awarded by law—imprisonment for double default.

He now came to the question of the right of the crown to challenge persons on criminal prosecutions; and here at the outset he was compelled to speak in the teeth of an astonishing statement of the master of the rolls in Ireland who had declared in a written document, that a right was never pretended to in that country which every criminal judge was perfectly well aware existed and was claimed. In the "instruction" issued in 1836 to the conductors of crown prosecution, sir Michael O'Loughlen, who was then attorney-general, directed that the right exercised by the crown of setting aside a juror, should in no wise be exerted on account of his religious or political opinions, but should be confined to those instances where the juror was in any way connected with the case upon which he was called to serve, or was, from some other ascertained cause unfit. When sir Michael was before the committee, lord Brougham gave him every opportunity of explaining his "instruction," but it was, he believed, the general impression, that his honour afforded nothing near an intelligible interpretation. A variety of cases were put—bad conversation—notorious complicity in similar offences, and the master of the rolls admitted that the instrue-

tions were not applicable to these. So much for the order; but what was the construction placed on it by those who were to put it in execution? It was stated by one who was no novice, Mr. Kemmis, who had been for thirty-eight years a solicitor for crown prosecutions, that he should not feel justified in setting aside any man except upon the ground which was specified. In this dilemma matters were placed. Another attorney-general indeed, Mr. Perrin, directed that "no man should be set aside against whom there did not lie a substantive ground of objection." This was the sure and reasonable proceeding, but it was not perhaps that which would give sir Michael O'Loughlen the best opportunity of saying to his party, "see what I have effected for you, I have so tied the hands of the prosecutor that he can never challenge a man on account of his religion or his politics, although the case be a religious question, and the man be involved in all the rancour of sectarian controversy, and committed to every sort of factious conduct, and although justice cannot be effectually secured without excluding men of that sort from juries."

Two points remained of the resolution now to be submitted, and they were incomparably the most important. The first related to the conduct of the government with regard to the consideration of the remission of sentences or their commutation. He would be content to rest his case on their conduct to chief justice Doberty. It appeared that the chief justice of the common pleas had for some reason fallen into discredit with the Irish administration, for a memorandum was made on paper by

a clerk under the government, which must in fact have been made by the authority of one or more members of the executive, for it was not likely to have been done *ex mero motion* of a clerk, to the effect that no case of a prisoner tried before his right hon. friend, when it came under the consideration of the executive, should ever be sent to the chief justice for his advice or information in respect to it. "My lords," said lord Brougham, "I have administered justice, I have sat in a high station—I have aided your lordships in those high judicial functions which belong to you—I have passed my life in courts of justice—I know the venerable and reverend judges of the present time, and many of the grave men who preceded them; and, from unreserved intercourse I am acquainted with the feelings of those distinguished persons, but I cannot, I protest, believe that any one of them, the heads and sages of the law in this country, could have brought himself to believe in the possibility of the existence of the rule which I have mentioned. They would have answered with one voice, it must be a mistake, carelessness alone or error could give rise to such lines being traced on any paper."

In point of fact, however, in the course of the last two or three years no fewer than seven and twenty cases had been tried by the lord chief justice; and there was evidence on oath to show that every one of these was referred not to his right hon. friend, but was taken, in obedience to this memorandum, either to the attorney-general, the crown counsel, the prosecutor's nominee, holding office during pleasure; or, in nine cases

out of ten, to the crown solicitors; the attorneys at law practising to the lord chief justice, the second common law judge of the realm.

After going into several instances, lord Brougham then directed his attention to the exercise of the prerogative of mercy, and quoted the opinions of Stanford, Bracton, Coke, and Hawkins, to show that ancient and modern lawyers concurred in the rule, that only those offenders ought to be spared by the crown whose cases, could they have been foreseen, the law itself would have excepted from its penalties. The learned lord gave the following description of the proceedings of the lord-lieutenant. His excellency came into a town, and was immediately attended by the populace to the gaol. He entered the prison; a certain proportion of the prisoners were paraded before him; and those who were recommended by the gaoler were liberated—often on the spot without further inquiry. A remarkable instance of this occurred at Clonmel. Fifty-seven prisoners were drawn up in the yard, and received their pardon, while there remained within the walls two hundred others who were not so exhibited. Every thing depended upon their quiet conduct, and what the gaoler thought of them, for it was he who made the selection, and the man who had been oftenest in prison would find most favour in his eyes. "The wild bird," said his lordship, "would flap his wings against the cage, while that which had been hatched in slavery would never assail the wires with a feather of his pinions." Every where there was the same want of cautious investigation. No judge was examined—no committing magistrate

was questioned—no application was made to any one conversant with the trials or committals. His excellency spent two hours in the prison at Clonmel, and for more than half the time was moving about to place from place, so that he had not one hour to devote to the fifty-seven cases—something less than a minute for each. And such conduct had been sanctioned—that grave and venerable body, the representatives of England and Ireland, did, though by a narrow majority made up of the representatives of Ireland chiefly, come to the resolution that, because the inquiry was pending—nay, had not in fact commenced—because they were in utter ignorance of the result, and in fact could not but be so, without the gift of prophecy, which they did not seem to claim, or affect to possess, they would pronounce a verdict of acquittal and approval. But this was not all; in a letter written the day after the dissolution of the last parliament, by the home secretary, to the lord lieutenant (though there was no occasion to write at all to Dublin, for his excellency was in London at the time), lord John Russell desired the viceroy to direct his conduct by the same principles which had hitherto merited the approval of the government. Here was a comprehensive sanction of all that had been done.

Those circumstances made it an indispensable duty to bring this matter before parliament. "It was," said lord Brougham, "absolutely necessary that I should persevere, taking, as I do, the administration of justice to be the highest of all the functions of the crown, and feeling, as I must, that if no step be taken, and that promptly, to express an opinion

upon the true method in which the executive is bound to exercise those high and paramount duties, you will again and again see many an instance of that which Ireland has so lately exhibited—of mercy, now no longer a solemn duty but transformed into an empty pageant—a pageant which exhibits mercy and justice in altered places—mercy blind while justice weeps.

“So long,” continued the noble baron, “as the administration of justice is correct, and pure, and inflexible—so long as that great power—that prodigious clasp—that solar belt continues firm, and retains its binding force, so long may every impulse hostile to the constitution be utterly disregarded. Let the crown have every possible desire to tyrannise—give it an obsequious house of commons and a venal house of lords—and from the court of the king at Windsor I will make my fearless appeal to the king’s court at Westminster, for I know that in that temple I shall find the palladium of my country. Or,” exclaimed lord Brougham, indulging in the disaffection which he would seem to have contracted for the scene of his early celebrity, “or come the danger from another quarter—let there be a vacillating house of commons—a parliament where the representatives do not know their own minds, but one day, by a narrow majority, vote one way, and on the next occasion decide in another manner, so that the constitution shall be no longer equipoised, but the power abide entirely with the house of lords, and the free polity of the nation pass away into an unmitigated aristocratic government—in spite of that corrupted court or predominant aristocracy, I should still flee to the judges, and

rest in the competency of their august tribunal to protect the subject or to secure the crown. Or if the danger should come—though I shall not live to see it—from the lower regions of the body politic—the pressure of a fierce democracy—even against the surge of popular fury would I set up the judicial system of the country, and put my trust in that amid all the perils of the constitution. And, my lords,” said the eloquent orator in conclusion, “as often as you perceive any attempt to break down this impenetrable bulwark, whether gradually or by violent measures—with or without design—so often will it be your duty to oppose such inroads in the outset, and to apply upon sound principles an adequate remedy. Upon these grounds it is, and under this deep conviction, that I have implored your lordships to adopt these resolutions.

We cannot but think that the examination of the discussions upon this and other occasions will have left the impression that the desire of popularity entered for more than its due proportion into the judicial administration of the late lord-lieutenant. The noble marquess, however, proceeded to defend his conduct. He complained that time enough had not been given for the perusal of the evidence taken, and utterly denied that mercy had been exercised in any case capriciously; no particular towns were selected, nor was it true that inquiry had not been made into the facts and circumstances of the several cases. The principle, he was aware, was not applicable to England. The great majority of offences which had thus been pardoned, arising out of personal conflicts and chance-medley fights, were of no very heinous complexion; and he thought

it was a very fair experiment to try how far, by such means, it might be possible to promote tranquillity and encourage kindly feelings among different persons in that rank of life. What was far more, it had proved successful; and he could produce the testimony of competent persons, the magistrates, crown solicitors, and assistant barristers, to the fact, that in those districts which were traversed by him, a better feeling had sprung up towards the government and local authorities, at the same time that crimes had been most sensibly diminished.

Lord Melbourne would not pretend to say what considerations the past political life of his noble and learned friend might excite in their lordships' minds; but for the other guarantee—the manner in which he should discharge his duty that evening—it would, he was convinced, inevitably fail of its effect. A more inveterate and criminatory speech—a speech more severe upon the noble marquis present, or unjust to the absent—was never heard within the walls of that house; and this before any time had been allowed to read the evidence, or to make inquiry. He did not see how he could meet the motion otherwise than by moving the previous question; for some of the resolutions involved doctrines seemingly elementary and disputed by nobody. The charge against government was, that they approved of lord Normanby's conduct. They certainly did so; and he would adduce, in answer to that condemnation, a very great authority, from a work entitled "*The speeches of Henry, lord Brougham.*" He did not know who was the editor of this publication, but he found there was before each speech

a favourable explanatory remark. "*Lord Wellesley*"—so ran the passage to which he was directing their lordships' attention—"had nobly signalized his entry into public life as the disciple of Grattan. The same enlightened course was adopted by the marquis of Anglesea; and the present lord-lieutenant, who was distinguished equally for his demeanour in public and his talents as a private gentleman"—["How kind!" said lord Melbourne]—"was in pursuit of the same wise and honourable policy."—"I wish," said the noble viscount, "to quote this for no more than it is worth—['*Hear, hear, and a laugh*]'—but it affords, I think, pretty strong testimony—fully as forcible as that of lord John Russell—to the general government of lord Normanby, that of my noble and learned friend being propounded in 1837, while the letter of the home secretary was written in 1836. But what right, I ask, had lord Brougham to pass this eulogium upon government, at a time when he was fully aware of the very facts which he had now brought against them? My noble and learned friend concluded his powerful speech with a panegyric upon the virtue of justice—a very noble encomium—though when he came to speak of a venal parliament and a corrupt administration, and looked to justice for aid to overcome them all, he did certainly put me in mind of Sheridan's remarks upon the efficiency of a free press. But it was none the worse for that—[*a laugh*]—the passage was no doubt a very splendid one, and I am prepared to do it justice; at the same time, however, it ought to be stated, that people who talk very loudly in praise of that virtue are apt, on

some occasions, to exercise it the least—a fact which is most apparent at the present moment, when, in the same breath with which my noble friend pronounces his eulogium on justice, he proposes a motion which goes to violate every substantial element of it.”

Lord Plunket maintained that the new rule respecting the challenging of jurors had worked most beneficially, and stated that the reluctance of juries to convict undoubted criminals had almost entirely disappeared. He could himself bear testimony to the success of the experiment of releasing offenders from prison. The noble baron objected to lord Brougham's resolutions for several reasons, but particularly upon the grounds that they would tend to place an unprecedented restriction upon the crown's prerogative of mercy.

Several remarks were made by

the earl of Roden and other noble lords on their respective sides. Lord Brougham then rose, and concluded a very effective reply by the observation that he had never joined any party, but maintained his own independent principles. He would not enter into an inquiry as to which was preferable as a party, whig or tory; but this he would say, that the latter never attempted, by any undue means, to conceal their real objects and principles, and had never endeavoured, by a bedchamber intrigue, to support their own position, but had always stripped off every rag of the clothing of duplicity, and stood forth in their undisguised simplicity and character.

The house then divided: 52 voted for the previous question, 86 for the resolutions, leaving the ministers in a minority of 34.

CHAPTER V.

Proceedings in Parliament with regard to JAMAICA—Recapitulation of Antecedent Transactions in 1838, both at Home and in the Colony—Bill introduced by Mr. Labouchere for Suspending the Constitution—Provisions of the Proposed Measure—Speeches of Mr. Goulburn—Sir George Grey—Mr. Gladstone—Sir R. Peel hopes that some Arrangement may yet be Practicable—Sir S. Lushington—Lord Stanley—Lord John Russell—April 28d—Sir R. Peel gives notice of intentions with Reference to the Bill, which is read a Second Time without Opposition—Counsel heard against the Measure—Debate taken, May 3, upon the Question that the Speaker do now leave the Chair—Regret expressed by Sir R. Peel that no Compromise had been Attempted—He Opposes the Motion—Alternate Speeches of Messrs. Labouchere, Godson, Charles Buller, Hume, and of Sir George Grey—Debate resumed by Mr. Maclean on the 6th—Followed by Sir E. Wilmot, Messrs. Grote, Warburton, Gally Knight, Goulburn, O'Connell, Gladstone, Sir S. Lushington, Lord John Russell—Motion carried by a Majority of Five—Ministers resign.

IN order to put the reader in a better position to approach the long and important discussions which originated in the interrupted relations between the legislature of Jamaica and the mother country. It may be advisable to give a brief recapitulation, from the 17th chapter of our preceding volume, of the steps taken on either side which served eventually to bring about the embarrassing juncture of affairs upon which was founded the alleged necessity for the interference of the imperial parliament.

It will be remembered, that in the earlier part of the preceding year, the agitation on the subject of West Indian slavery became once more very general throughout the kingdom, and gave rise to more

than one motion in both houses of parliament. The question was again brought before the commons on the 29th of March in a proposal made by sir George Strickland for the immediate abolition of negro apprenticeship, which did not expire, in the case of predial servants, until August 1840. This proposal met with the opposition of ministers on the ground of its manifest violation of the compact with the proprietors, and was, in consequence, defeated by a majority of sixty-four. Sir Eardly Wilmot was more successful in obtaining, on May 22, a resolution in favour of immediate abolition, on this occasion the government, together with the conservative members, were left in a minority of

three. A few days afterwards, however, another resolution was carried by sir George Grey which virtually rescinded that of sir Eardly Willmot by declaring that it was not expedient to adopt any procedure for the purpose of giving effect to the resolution of the 22nd; at the same time that the house expressed a very significant determination to watch vigilantly over the interests of the emancipated people as soon as the term of probation had legally expired. An important bill was subsequently passed, entitled, "An act to amend the act for the abolition of slavery." Many salutary provisions were made in this instrument for the further protection of the apprentices, and in order to secure the execution of such regulations of the former enactment as had been disregarded by the planters.

The act was promulgated in Jamaica by the governor on the 1st of June. On convening the legislature of Jamaica on the 5th of the same month, sir Lionel Smith informed them, that he had called the house together at that unusual season to take into consideration the state of the island, and to recommend the early and equal abolition of apprenticeship for all parties. He represented to them in the most forcible manner the increasing impracticability of carrying on coercive labour in juxtaposition with other colonies now made free, and in the face of the agitation awakened both in Jamaica and in Great Britain.

In answer to these proposals the assembly observe, in no very complacent language, that "Jamaica does indeed require repose, and we anxiously hope that, should we determine to remove an unnatural servitude, we shall be left in the

exercise of our constitutional privileges to legislate for the benefit of all classes of the community without any further parliamentary interference."

Against the abolition amendment act they entered a remonstrance in terms the most petulant and disrespectful to the imperial government, and protested "solemnly before God and man" that the proclamation which declared the said act to be in force in the island was illegal and utterly subversive of all their rights and privileges.

On the 16th of June, however, the governor gave the royal assent to an act for the entire abolition of predial apprenticeship from the first day of August 1838.

Whatever motives of a different complexion may be supposed to have had their weight with the assembly in consenting to a measure of absolute emancipation, it is difficult to believe that the rather ominous resolution of the British parliament, the stringent character of some of the provisions of the abolition amendment act, in conjunction with the emphatic expressions in which sir Lionel Smith had conveyed his wishes on the subject, did not enter for very principal causes into this determination; nor ought we perhaps to censure severely any exhibition of irritated feelings on the part of persons who had been thus induced by an external pressure to make the gratuitous sacrifice of two years out of a period which was remaining, assigned originally, in part of their compensation for the former emancipation act as well as for the discipline of the lately liberated slaves.

Their severest trial however was not yet arrived. Since the passing of the act of emancipation in 1833,

much complaint and controversy had arisen with regard to the state of the prisons and workhouses of Jamaica in consequence of the increased requisition in which they were brought by the new system, which put an end to the power of domestic punishment and compelled the master to carry his delinquent apprentice before a magistrate, who in case of conviction committed him to prison. There seems, indeed, good reason for believing that the inflictions of unwarrantable punishments and other mal-practices were but too prevalent in these places, which had at any rate become totally inadequate to the exigencies of the altered regime, and demanded a far more effectual superintendence.

The abolition amendment act, contained, it is true, some provisions for the correction of the worst abuses of the existing system, but as the enactment of the measure was limited to the protection of the apprentices, its operations necessarily ceased with the premature expiration of that transitory condition, and left the subjects of its provisions without further defence.

The colonial assembly made, certainly, from time to time, demonstrations of a disposition to introduce a better system, they even proceeded to the appointment of a committee, and adopted other preliminary steps; but it has been alleged, and perhaps not without reason, that they did not in point of fact entertain any very sincere intention to effect in earnest the extensive and searching alteration which the case demanded.

Inquiries however of this nature were in process when captain Pringle arrived in November of 1837, with instructions to make a report on the condition of the pri-

sons in the colony, and suspend the proceedings of the Jamaica assembly on that subject until his account should be completed. In the ensuing February he returned to England, without however communicating the result of his labours to the insular legislature.

On the 17th of July, by a singular coincidence the day next after that on which the home government had received the dispatch, that conveyed the news of the voluntary abandonment on the part of the planters of the remaining term of apprenticeship, lord Melbourne presented to the house of lords an important bill, founded on the report of captain Pringle, empowering her majesty in council (or with respect to the prisons of each colony, the colonial governor and council) to make rules for the government of the West India prisons, to appoint inspectors, and regulate other matters of necessary discipline. The bill went almost silently through the lords and commons, and was then taken out, and promulgated by the governor in a proclamation affixed to the doors of their house about six weeks before the meeting of the assembly, which took place on the 30th of October. On this occasion sir Lionel Smith confined himself to the expression of a hope, that the assembly would be prepared to enter upon the consideration of various important measures necessitated by their altered condition, and gave notice of his intention of laying before them shortly several important dispatches. Although the governor acted in this instance, in accordance with precedent in neglecting to present dispatches in the opening speech of the session, or to communicate bills which it appears are usually

laid before the house by message at a subsequent stage, it is perhaps to be regretted, that in consideration of the somewhat arbitrary and anomalous circumstances under which the prison bill was passed, sir Lionel did not so far depart from the established etiquette, as to anticipate the displeasure of the irascible body with whom he had to deal, by referring at once to the measure in the language of conciliation.

The very first procedure of the assembly was, to ~~pass~~ four resolutions, which we have been tempted to give at length, because the construction to be put upon the wording was the subject of much subsequent discussion in Parliament.

1. "That the act of the British parliament, entitled 'An act for the better government of prisons in the West Indies,' is a violation of our inherent rights as British subjects, as recognized by the constitution of this island, and by the act of parliament 18 George 3rd c. 12; that the same has not, and ought not to have, the force of law in this island, and that the authorities will not be justified in acting on it."

2. "That the violation of our rights by the parliament of Great Britain, in which we are not represented, is the less excusable, inasmuch as the house was prepared to enter into the consideration of prison discipline as soon as the report of her majesty's commissioners was officially before them."

3. "That the house have witnessed with the deepest regret, the unmerited censures passed upon the inhabitants of this island, the extent to which the public mind in Great Britain has been poisoned against them, the absence of all confidence in the legislature, the

reckless manner in which the laws passed by it have been disallowed, and the system of legislation for the colonies which has been determined on; whereby the power of the house has been fettered, and that body has ceased to exist for any purpose useful to the people whom they represent."

4. "Resolved, therefore, that in the opinion of this house they will best consult their own honour, the rights of their constituents, and the peace of the colony, by abstaining from the exercise of any legislative function, excepting such as may be necessary to preserve inviolate the faith of the island with the public creditor, until her most gracious pleasure shall be made known, whether her subjects of Jamaica, now, happily, all in a state of freedom, are henceforth to be treated as subjects, with the power of making laws, as hitherto, for their own government, or whether they are to be treated as a conquered colony, and governed by parliamentary legislation, orders in council, or, as in the case of the late amended abolition act, by investing the governor of the island with the arbitrary power of issuing proclamations, having the force of law over the lives and properties of the people."

Sir Lionel upon this prorogued the assembly for a few days. It came together again on the 8th, and in answer to an address from the governor, admitted the possible inconvenience which might arise from the expiration of the annual laws, and the deficient state of the regulations relating to vagrancy, contracts, squatting, and other matters, brought into importance by the recent alterations; but at the same time the chamber renewed the assertion of their determina-

[H]

tion to adhere to the resolutions so long as their rights were invaded.

The next step taken by the governor was to dissolve the assembly. The legislature was again convened on the 18th of December. It exhibited, however, no greater disposition than on the former occasion to compliance or compromise, and declared once more, that they "felt themselves bound to adhere to the determination come to by the late house of assembly." These proceedings ended in the final prorogation of this contumacious body.

The effects of these unfortunate differences, were, of course, very prejudicial to the peace and tranquillity of Jamaica in so critical a juncture of her history, and sir Lionel Smith in his dispatches to the colonial office, made the strongest representations of the serious inconvenience and obstruction occasioned by the conduct of the house of assembly. In consequence of these transactions, the government, who did not perhaps view with unqualified regret the opportunity which seemed to offer for reconstructing the constitution of the island upon a basis which should have more reference to the altered condition of society, introduced on the 9th of April of the succeeding session of 1839, a bill which was entrusted to the hands of Mr. Labouchere, to suspend the existing constitution of Jamaica for five years. It was proposed, in the meantime, to make provision for the government of that colony by investing it *pro tempore* in the hands of a governor, and a council augmented by the accession of a certain number of persons—probably three—who would be sent from England as commissioners specially qualified by pre-

vious experience to assist in the consideration of some of the more important topics to which their early attention would be directed—the improvement of the negroes—the poor-laws—and the subject of prison discipline. This interval would give time for the enactment of such laws as were called for by the transition state of the colony, and afterwards the government proposed to restore the ancient constitution subject to the requisite modifications.

Previously to the act of emancipation, observed the right hon. gentleman, the state of prison discipline was of the less importance, inasmuch as all punishments were inflicted upon the slave by the domestic authority of the master, who was reluctant to risk the loss of his services by sending him to gaol; the effect, however, of that measure had been to take this power out of the owner's hands, who had nothing now left but to bring his charge against the delinquent apprentice and procure his committal. It was this consideration, together with the circumstance, that the gaol regulations introduced into the abolition amendment act, ceased to be in force when the state of apprenticeship was terminated, which had rendered the late prison bill a measure of so great urgency—it was, however, one which then had not been resorted to before five successive applications by the governor to the colonial assembly, had been uniformly either referred to committees or otherwise indefinitely eluded. In point of fact, from the passing of the celebrated resolution of 1822 down to the present moment, not a single measure had been adopted in furtherance of its objects, that had not been

forced upon the house of assembly by the imperial parliament, with the exception of the emancipation bill of 1833, purchased by the noble sacrifice of this country. Three distinct occasions had arisen since that period on which our interference had been found necessary;—when we extended the duration of the said act for a year—when we carried the apprenticeship amendment bill—when we passed the prisons' bill—and the present difference was only part of the controversy, that had been so long in existence between the two legislatures with regard to the treatment of the negro population. It might indeed be urged, that in a few months the inevitable admission of a large body of the negro population to the representation, would dispense with any necessity for suspending the existing constitution; but what, he would ask, could be worse than for the house of assembly to proceed in its present courses, and at the end of fifteen months, or less, to be superseded by another constructed as that house would be?

Mr. Goulburn said, that before he offered an opinion upon the measure, he should prefer seeing it in all its details; and, therefore, although he would not oppose the present introduction, he still reserved the fullest right to discussion of all the topics which had been entered upon by the right hon. gentleman, as well as those which he had avoided—of inquiring, on the one hand, whether there had been an offence in the conduct of the assembly—and on the other, how far it might have been occasioned by the policy of the government. It was true, that this was a contest between the legislature of Great Britain

and that of a colony—but as he was asked to maintain the supremacy of the parliament in the event of the colony being in the wrong, so also some opinion would be called for on the demeanour of the administration should they be seen to have propounded the measure procured from the Parliament in a manner calculated to excite the passion which was complained of. He was not there to defend the conduct of the assembly. Long acquaintance with colonial governments led him to doubt whether, if he were on the point of establishing a system for a colonial empire he should make popular representation its basis, and indeed he had himself resisted proposals for creating popular assemblies; but it was obviously one thing to question the abstract expediency of constituting these bodies, and another to withdraw them suddenly, and substitute a regime of an entirely different nature, after they had been once called into existence. It belonged to the essence of popular assemblies to be swayed from time to time by the passions of those who elected them, and it was one of their evils as well as of the good qualities they possessed, that they faithfully represented the feelings and interests of their constituents, and Mr. Goulburn was of opinion that the Government did not sufficiently consider the peculiar sensitiveness of such bodies on the subject of their own rights and privileges, when they made this abrupt and unceremonious communication of the prison bill.

Sir George Grey observed, that after five years' experience of the fruitlessness of all recommendations to the house of assembly, ministers had felt bound, in accordance with

the spirit of the resolution of the last session, to ask of parliament, and parliament had given the power to the local government by the West India prisons act, to dismiss improper persons from offices which they abused in the prisons, a power indispensably necessary to the due discharge of the responsibility with which government was intrusted. It was said, that this bill had been pressed inconsiderately upon the assembly—was that the case? The act was accompanied by a despatch of lord Glenelg, dated Aug. 13, which set forth in a conciliatory manner the reasons which made an uniform system of superintendence desirable, and notice was promulgated and circulated in the colony six weeks previously to the meeting of the house of assembly. Complaint was, moreover, made, that the bill and the despatch were not laid at once before the house. It was not usual, on the opening of the session, for despatches to be so produced, nor was he aware of a single instance in which such instruments had been communicated in an opening speech. The customary procedure was to announce the existence of important communications, and, in the course of two or three days, to submit these despatches or other documents to the legislature by message; and the blame must remain with the chamber, who had allowed sir Lionel Smith no opportunity of placing these despatches before them, by their refusal to entertain any general business. Other occasions would occur for discussing the details of this measure. In the mean time, he was desirous of stating his conviction that the government, if it were liable to any charge at all, was

open, in his opinion, to that of too much forbearance.

Mr. Gladstone said, that it might be true, that in the despatches there were grounds requiring the enactment of some measure regarding prisons. But what was the next question? It was, undoubtedly, whether time were left to the legislature to act upon the evidence laid before it. Before the report of captain Pringle was submitted to the house of assembly the government of this country was not in condition to say to that body, "You are prepared to proceed to legislate." How was it possible to threaten to suspend their powers because they refused to frame a law, when the government itself thought it necessary to institute an inquiry into the state of prisons, and the results of that investigation were not in the possession either of the house of commons or of the colonial legislature? Even if the act for the regulation of the prisons were justified by the necessity of the case, the right hon. gentleman was not warranted in assuming that the question then before the house was the repeal of the prison act or the passing of the present bill.

The legislature of Jamaica had propounded a certain condition as essential to the resumption of their functions. Was that condition the repeal of the prison bill? It might be so, but it was not in the papers before the house. In order to warrant them in entertaining this bill, they should have before them a definite issue, and, at the same time, the terms upon which the assembly would consent to resume their duties. They had not demanded the revocation of the prison bill—and unless he could discover that the question involved

something more than a mere point of honour, he, for one, should entertain serious doubts about the propriety of passing this bill. Nearly the whole of the dilemma might have been avoided by more prudent and wary conduct.

Sir Robert Peel admitted, that the conduct of the Jamaica assembly was open to censure, but, a far greater amount of blame was attaching, in his opinion, to the course which had been taken by the ministry. However little satisfaction he might receive from the behaviour of the assembly, it was impossible not to be aware of the serious consequences involved in the projected mode of proceeding. It was proposed to suspend in a free colony the popular form of government which had existed for 200 years, and after a short interval of abeyance to revive it again. But was this so very easy of accomplishment? In a country, moreover, which had always been accustomed to impose its own taxation, it was in contemplation to vest in a governor and council with three commissioners appointed by the crown, the authority of levying taxes to the amount of 500,000*l.* of money; and this, at the same time that lord Durham, in his report on Canada, recommended them to make the executive officers responsible to the control—not of the crown or home government, but of the popular colonial assembly. Another matter for grave consideration was, whether by exhibiting the emancipation of the negro as incompatible with a representative form of government, those who were desirous of the complete abolition of slavery, were not deterring the slave-holding portion, the United States, from the adoption of their

experiment? This was, moreover, a measure calculated in no slight degree to alarm other colonies that were in the enjoyment of a similar form of government. Many important considerations, said the right hon. baronet, called upon them to consider most maturely, whether no other alternative could be adopted than the abolition of the constitution. The insolent language used by the assembly had been pleaded in justification of those proceedings, but could there be a more dangerous ground for legislation than the intemperate demeanour of a popular assembly? No popular government could be maintained for an hour if that ground were held to be justifiable. The assembly of Jamaica had possibly no inconsiderable grounds for provocation. When it was proposed last year, to abolish the remaining term of apprenticeship, ministers very justly met the demand with a refusal, alleging, that the national faith was pledged to the maintenance of the full term of service, and that independently of this consideration, it was better for it to continue till its proper expiration. This was right. But what did they think of the governor of Jamaica holding language to the assembly, to the effect that though parliament had refused to curtail the apprenticeship, they ought nevertheless to terminate it of themselves? When they found the executive authority combined with, perhaps he ought not to say physical force, but with the influence of numbers, no option was left them but to do that which the government at home refused to sanction, and abolish the apprenticeship. The colonial assembly was then entitled to some little indulgence. Nothing indeed could

be more objectionable than the manner in which they had acted with regard to prison discipline, but, nevertheless, more pains ought to have been taken to point out the impolicy of the course to which they were committing themselves, and to convince them, that this bill was part of the system necessary for carrying into effect the measure of emancipation. In 1827, the governor stated to the house that in 1840, when the apprenticeship would expire, their attention would be called to the subject of prison discipline. Captain Pringle was sent out towards the end of that year, to make an inquiry and to report. Instead, however, of intimating to them that parliament would provide for a system of prison discipline, captain Pringle was allowed to communicate with the house of assembly, and he stated to them that it would be better not to grant any land at present for prisons.

All this certainly was not calculated to raise an expectation that interference would be resorted to. Well, on the 16th of July, captain Pringle's report was laid on the table of the house of lords, no communication whatever was forwarded to the island, and at the end of July, the bill was passed. Without any, the least, intimation to the assembly, proclamations were issued, promulgating the new act as law. In the steps they then adopted, the house of assembly acted unadvisedly, but as they declared their readiness to satisfy the demands of the public creditor, and to provide for the civil service of the island, and would, no doubt, if time had been allowed them, have passed some of the seventeen annual acts which they were charged with not enacting, why

not give them the opportunity of collecting the taxes, and trust to their returning good sense and moderation? Without being the advocate of the colonial assembly, he was certainly of opinion, that they had, by their want of temper, lost an opportunity of making a case against the government.

Sir S. Lushington maintained, that although the vituperative language of the Jamaica legislature was not an adequate reason for taking away their power, it nevertheless formed no inconsiderable argument for such a temporary suspension as might be necessary to restore its functions. He did not believe that the colonists were at all compelled to accept the proposal of immediate abolition made by sir Lionel Smith; they had agreed to it out of reluctance to obey the act of the British parliament for the amendment of the emancipation bill. It had been urged, that some intimation of the prison bill, ought to have been conveyed in the governor's speech. Now he had looked into the speech delivered by sir Lionel, previous to the passing the abolition act, and, singularly enough, there did not occur in it the slightest indication of that measure. In point of fact, it was not customary for the governor to allude to measures in his opening address, but to give notice of despatches to be communicated, and to reserve the statement of their contents till an opportunity came for laying them before the house. After all, this bill merely empowered the governor to make regulations, and the penalty so much complained of was not more than 20*l.*, in case of refusal or resistance to inspection, a very slight restriction on the power of the assembly in the existing necessity.

What lord Stanley chiefly blamed the governor for was this, that until driven by public clamour, they had no intention of recommending total abolition in 1838. Being once compelled to make that recommendation, it was their duty to originate measures for meeting the emergencies of immediate emancipation. Instead, however, of this, they studiously kept the colonial legislature unprepared, and when they did call on them to act under such pressure, as the language of sir Lionel Smith showed, they had none of the measures which ought to have accompanied that call in readiness, although they were aware how greatly the island must suffer by their neglect. The object of the apprenticeship system was to give time for measures of precaution. But the assembly had been prevented from making due provision for many important matters, by the mode in which it was compelled to pass the abolition act, which had been forced upon them in the most vexatious manner in which a law could possibly be pressed upon a legislature. What was the language of the governor? "Jamaica is in your hands, she wants repose, and will acquire it by the passing of this law." Their answer was, "we will pass this law; and we do hope that having complied with every demand, we shall enjoy the repose we have been promised." The tone of cordial congratulation in which sir Lionel thanked the assembly for the great boon that had been conferred upon the people, was calculated to corroborate this impression, and in this expectation they returned to their homes. The first recompense for so much compliance, was another act containing a worse invasion of their

privileges than the former, and the only intimation of the enactment, was the governor's proclamation unaccompanied with any explanation whatever of the grounds upon which the British legislature had based it. It might possibly be unusual, but, upon so extraordinary an occasion, the governor ought certainly to have informed them of the intended measure, stating, at the same time, that no intention existed of interfering with the privileges of the house, further than might be absolutely necessary to secure the great object for which the bill had been introduced, the effectual operation of the abolition of negro slavery. Nothing of the sort had been attempted; and, indeed, the despatches of the governor, for the last four years, were so far from evincing any tendency to soothe an irritated and prejudiced community, that they had worn, throughout, a completely partisan complexion, and exhibited traces of a series of petty vexations, one after another.

The discussion was closed by lord John Russell, who denied that the home-government had any hand in precipitating the final emancipation of the apprentices. When the subject was discussed in the antecedent session, they had subjected themselves to no little unpopularity by maintaining that this event, however desirable in itself, would be more properly consummated by an act of the assembly of Jamaica, who were entitled to be consulted on the subject. But, urged the noble lord, the grounds of the exasperation of the colonial legislature had been misapprehended in the present debate, for in point of fact, the vituperative language of their protest was directed, not towards the

act of 1838 for the abolition of apprenticeship, but against a measure which it had been found necessary to pass in the preceding year for the amendment of the act of emancipation, in consequence of the manner in which that enactment was most grossly evaded in the treatment of the apprentices, under the provisional system which had been lately terminated.

The house of commons, continued the noble lord, [was bound by the resolution of the previous session, regularly to superintend the condition of the negro population whenever they should come into the full use of their freedom, and he could not believe, that it lay within the contemplation of his noble friend, when this numerous black people were once entirely free, to permit the legislature of Jamaica to enact any statutes, however oppressive, or however evasive of the emancipation bill, because, according to the definition given in their protest, they did not relate to the regulation of commerce. True it was, that the crown might place its veto upon any such proceedings, but there might, nevertheless, exist, very conceivably, many old colonial acts and usages, whose application to the state of the freed blacks, would in effect enable those who had held the property for so long a course of years, together with superiority of other kinds, to exercise a very grinding oppression. The temporary suspension, said lord John Russell in conclusion, would be amply compensated by the intermission which it would give to the passions of the two opponent parties, who were not likely to enter forthwith upon their constitutional powers without a considerable struggle, on the one side

to maintain their present position, and to rival or to supersede on the other.

On the 23rd of April, the bill arrived at the second reading. On this occasion sir R. Peel stated, that he would allow the bill to be read again *pro forma*. Counsel would then be heard at the bar against the measure. He was even content to have the bill committed and take the discussion on the question that the speaker do now leave the chair. In the meanwhile it might be as well to mention his present views on the subject, which, as he did not look upon it as a party question, would not compromise those with whom he was usually connected, in their conduct with regard to any part of the measure. Before then, that they proceeded to suspend the constitution for five years, and to vest so great an authority of taxation in a government by no means popular in its form, he would wish to give to the local government of Jamaica the power of reconsidering their course and returning to their duties, at the same time that the prison bill was maintained, and the right to pass that measure distinctly expressed to the assembly. The house of assembly, however, might still adhere to their refractory courses, and in the event of such a contingency, he was disposed to confide to ministers the power of carrying on the government for a time until parliament should decide otherwise; or, if it could be further shown that public business would be prejudiced by such delay, he would make no more opposition to the progress of the bill.

Counsel were then heard, as indeed was the case on almost every stage of this bill, and of the one which was afterwards subti-

tuted, in both houses of parliament. But, although sergeant Merewether, and especially Mr. Burge, the accredited agent of the Jamaica assembly, maintained the cause of their colonial clients with much and pertinacious ability, we have not thought it necessary to take any further notice of their long and elaborate speeches, which indeed the limits of our work would at any rate scarcely permit, under the confidence that the reader will find their more material arguments, either originated or reproduced in the course of the protracted discussions of which we are to give an account.

On the 3rd of May, in opening the debate upon the question that the speaker do now leave the chair, sir Robert Peel could not help expressing his disappointment that it had not been found practicable to come to some arrangement with regard to the government of Jamaica, without any party conflict, or even any serious division of opinion on the course to be pursued. He might, perhaps, have taken a different view of the magnitude of the question, but he had looked in vain for any message delivered to the house lamenting the necessity, while it recommended the measure of suspending the functions of the representative assembly of Jamaica. The temporary abrogation of a popular form of government in Canada, in the preceding year, was by no means a precedent to be followed, lest it might seem to be a practice of the parliament to suspend a popular constitution every session. Up to this very hour, said the right hon. baronet, the colonists were entirely unaware of the heavy penalty about to be inflicted on them—they were, without any intimation of these heavy

accusations, and a most careful examination of all the papers bearing on the subject, enabled him to declare his most sincere opinion there was no vindication in justice or in equity for the method upon which they were on the point of entering. "There are," said Mr. Canning in 1824, "three possible modes in which parliament might deal with the people of Jamaica. By the application of direct force we might crush them with a finger—we might harass them with fiscal regulations, restraining their navigation—or we might pursue the slow and steady course of authoritative admonition. Now, I am for trying first, that which I have last mentioned. I trust we shall never be driven to the second; and, with respect to the first, I will only now say, that no feeling of wounded pride, no motive of questionable expediency, nothing short of real and demonstrable necessity, shall induce me to moot the awful question of the transcendental power of parliament over every dependency of the British crown. That transcendental power is an arcanum of the empire, which ought to be kept back within the penetralia of the constitution. It exists, but it should be veiled. It should not be produced in cases of petty refractoriness or temporary misconduct, nor indeed on any occasion short of the utmost extremity of the state." Adopting the sentiments of that great statesman, he was not prepared to admit that the necessity had arrived for bringing the transcendental power from the penetralia of the temple; and he only wished the house could be made to perceive the probable consequences of the double precedent now about to be set, and the general uneasiness that

would be caused in other colonies, with half the force of his own deep conviction.

The enacting clauses of this bill, said sir R. Peel, were contained in two pages; it was a brief and compendious measure, and wisely so; for the necessity of the case might absolutely require, in the event of this law passing, that they should take such extraordinary powers; and the measure, in the second place, would go to establish the most unmitigated despotism. Could they name, he would ask, any crown colony, not having a charter, and governed by absolute power, that was subject to such regulations? Had they ever treated with the same severity any conquered dependency? Before they came to the resolution of suspending the constitution of Lower Canada, distinct notice had been given; for several years the supplies had been refused in contravention of an implied contract; admonitory resolutions were carried without effect, and then, after all, the bill was passed.

There was no indication in the preamble of this bill of the intention of government in passing it; but in the recital of the Canada bill it was distinctly stated that the measure was intended to enable parliament to frame another constitution based on popular principles. It was carefully provided in the latter case that no tax or duty of any kind should be imposed, which might not be payable at the time of the passing of the act; whereas, an unlimited power of taxation was vested in the governor, and virtually in the three salaried commissioners, by the provisions of the present projected law. The only security against the most arbitrary demeanour was such as

might be found in the good will of the predominant parties.

And what, exclaimed sir Robert Peel, was the society to which this bill was to be applied? No less than one half of the whole of the white population in the British colonies in the West Indies and South America. The whole public revenue of those dependencies was 540,000*l.*; the revenue of Jamaica alone amounted to 300,000*l.* The annual expenditure of the former was 551,000*l.*, and that of Jamaica reached 300,000*l.* Again, the value of the imports of our colonies in those regions in 1838 amounted to 5,806,000*l.*; the imports of Jamaica in the same year were estimated at 3,000,000*l.* In the same period the value of the exports from the South American and West Indian colonies was laid at 9,932,300*l.* In Jamaica the exportations were upwards of 4,000,000*l.* So much for the importance of an island which represented one half of the trade, revenues, and population of our West Indian possessions.

Jamaica received its first regular form of government from Charles II in 1661, consisting of a governor and a council of twelve chosen by the crown. A few years afterwards the house of assembly was constituted. In 1678 the ministers of the same monarch commenced a series of attacks upon the privileges of that body, which were in the end completely repelled and made nugatory by the firmness of the assembly,—and yet the American revolution had not then taken place, nor had any Chatham spoken upon the right of imposing taxes on the colonies. He mentioned this to warn hon. gentlemen that although the negroes were far more numerous than the white people, they would find, neverthe-

less, greater difficulties in administering the government of Jamaica from home than might at first be looked for, from so limited a place.

It would be well for them, continued sir Robert Peel, to remember Mr. Burke's speech in 1775, on his resolutions for conciliation with the colonies. That great statesman gave six capital causes for the intractable spirit of the North American plantations, — descent, form of government, religion in the northern provinces, manners in the southern, education, and remoteness of situation from the prime mover of government. Might not, asked the right hon. baronet, some of these be in operation in the present case? Was not this a colony planted during the religious ferment of the Commonwealth? Were the proprietors of Jamaica less accessible to the haughty spirit of domination than the slave-holding colonists of Virginia and Carolina, and all other masters of slaves who are not slaves themselves? Hardly less powerful was the last mentioned cause of disobedience, for it was not merely moral, but lay deep in the constitution of things—many thousand miles of ocean intervened between the dependency and the mother country—no contrivance could prevent the effect of this distance in weakening government. Seas rolled, and months passed between the order and the execution, and the want of a speedy explanation of a single point was enough to defeat a whole system.

It was further urged by sir Robert Peel, that the sympathy excited by this measure throughout the western colonies would materially obstruct the success of the projected plan. The government might certainly confer upon any

three individuals—for anything he knew upon the aides-de-camp of the governor—an unlimited power of taxation; but would the people quietly submit?

It was, moreover, rather singular that a bill should have been proposed in the present reign, modelled upon the measure of 1774 for the better regulation of the government of the province of Massachusetts-bay. Did the house remember the recital of that act, which took the whole executive out of the hands of the existing popular governor, and placed it in the hands of a governor and councillors? They might also find a lesson in the recollection that a day arrived when the parliament was obliged to give in its formal renunciation of the asserted right of taxation, and to repeal that unfortunate act which had been made the pattern of the present bill for providing for the government of Jamaica.

These were important considerations; but if there was one proceeding more fraught with mischief than another, it would be to pass the measure under false pretences. Such a step would infallibly impair the veneration of the mother country, and go to make a precedent of colonial legislature full of peril for all time to come, should they ever, under the conceivable concurrence of imperative causes, be driven to the temporary interruption of a colonial constitution. Let the real reasons for bringing forward the measure by all means be produced, if it were only for the sake of reconciling the people to it. Now it was simply set forth in the preamble of the bill, that whereas the house of assembly had refused, unless certain conditions were complied with, to

exercise any legislative functions other than might be necessary to provide for the security of the public creditor; and whereas it was expedient to make temporary provision for making several enactments affecting the welfare of the island; it should not be necessary to summon that body for the despatch of business until the 1st day of January of a given year: and this was the whole vindication for the bill to which it precluded. Nothing was said about the peculiar circumstances of Jamaica—the new distribution of the franchise, not a word of that—no mention was made of the general refractory conduct of the local legislature. So far from its appearing on the face of this recital to have been a welcome occasion of interference for salutary purposes, they professed to lament the necessity of resorting to such an expedient. Their own speeches, however, exhibited a different language. It was not by reason of some particular insubordinate act of the house of assembly, so much as upon the allegation of a continuous course of misconduct, and the refusal on their part of any cordial co-operation, that the present momentous measure was brought in. But was this charge borne out? The house of assembly was absent—it was even ignorant of the indictment. He would, however, summon unexceptionable witnesses—themselves the ministers, and the governor of Jamaica. Sir Robert Peel then pointed to many flattering despatches, many complimentary speeches made on various occasions by the colonial governor since the passing of the emancipation bill, and cited an address delivered by sir Lionel Smith of so late a date as October 1837,

in which he declared to the assembly, that “frequent experience in their local affairs had not diminished his confidence in them.” Were these, demanded the right hon. baronet honest commendations; or had ministers been in fact merely cajoling the Jamaican planters? Despatches of a conflicting tenour might possibly also be in existence; but it was not the less upon public record, that up to October 1837, the house of assembly had done nothing to warrant the suspension of its constitution.

To come to the second period—from the end of 1837 to the present year. He did not defend the policy of the colonial body; no man could regret more deeply both their language and their acts; but the question was, whether the government had given a fair chance to the assembly, and tried the effect of time and reconsideration upon their exasperated feelings, by leaving them a *locus penitentie*. They had not adopted this course which he had so earnestly recommended, and no doubt they were acting upon conscientious motives in the part so taken; but the proof of its injustice lay their own recorded admissions—*Ex ore tuo condemnaris*.

Let them consider the circumstances under which the apprenticeship period was put an end to. This system was originally resorted to on the abolition of slavery in 1833, and was intended to continue for seven years, in order to leave room for the introduction of measures affecting the altered relations of the negroes, and to serve as a supplement to the grant of compensation. In 1838, a great ferment prevailed in England on this subject, and proposals

were made for cutting short by two years the term of apprenticeship. These were justly discountenanced by the government, on the ground that the national faith was pledged to the maintenance of the system until its legal expiration. It was, however, curtailed in the same year by the colonial legislatures of the West Indies. This step might have been taken out of fear, or from more generous feelings. If it proceeded from the latter, might not the sacrifice so made entitle them to some consideration, when a subsequent act—avowedly one of irritation—brought them under the displeasure of the home government; or supposing it to have been the result of extreme pressure from without, would they make no allowance for the excitation of men who had just relinquished an admitted right, guaranteed by the national honour? It was a punishment more than commensurate with the offence, to visit a single rash procedure with the temporary abrogation of a constitution.

Coincidences were sometimes singular, and there were some remarkable ones connected with the present case. On the 16th of July, 1838, the government received a despatch from sir Lionel Smith, conveying the decision of the Jamaican assembly; and, so it was, that on the very day succeeding, the Jamaica prison bill was presented to the house of Lords—no very gracious compensation for their concessions. The bill was carried out. In Barbadoes, sir Evan Macgregor introduced it in an explanatory speech to the assembly, who were assured that it would not be drawn into a precedent, the object being nothing more than the establishment of one

uniform system throughout the West Indian dependencies. In Jamaica, on the contrary, the first notice was conveyed by the proclamation of the governor, who made no allusion to the measure in his opening speech. It might be true that no precedent existed for such a course; but neither was there any precedent for the prison's bill itself, and it would therefore have been wiser to have adopted a more conciliatory demeanour.

Very far as he was from justifying the conduct of the colonial body, sir Robert Peel could not bring himself upon the grounds set forth in the preamble to support a bill which went to overthrow an ancient constitution. The Jamaicans had perhaps been too pertinacious; but that was not the ground of deprivation alleged by this bill: the ground put forward was the demand of a condition, which, in fact, had never been demanded. "Of any little intemperance in a popular assembly," proceeded the right hon. baronet, "this house should be slow to complain. When you thought yourselves trenched upon by the lords, you expressed your displeasure in no very measured language; and will you now apply for their concurrence with you in a bill that punishes Jamaica merely for expressing her own dissatisfaction, and enables the Jamaican house of lords to tax the colonists without their consent? 'Take the beam from your own eye, before you pluck the mote from another's; and mete with the measure which you wish meted to yourselves.'"

Mr. Labouchere, on the other hand, maintained that the result of the great experiment of emancipation would mainly depend on the fate of this bill. Recapitulating

all the circumstances of the pending dispute, he was of opinion that they amounted to nothing less than a virtual requisition on the part of the assembly that parliament should alter its course. Much quibbling had been expended upon the words, but it came after all to this. It was the merest fancy of gentlemen at home to imagine that the method of the proclamation had given any offence, or that the assembly had taken umbrage at the language of sir Lionel Smith. So far was this from being the case, that the several speakers, as reported in the *Jamaican Hansard*, were very particular in exempting the demeanour of the governor from any censure, at the same time that they laid the whole responsibility of the measure upon the home government, whose instrument he was. The real grounds of the quarrel were no points of etiquette, but the interference of the British legislature. "It was worse than useless," said Mr. Barclay, a prominent speaker, "to keep up merely the show of legislation when the substance was gone; the time had arrived, when the house should, in justice to itself and its constituents, make a stand by bringing the question fairly to issue, whether the laws for the government of the colony were to be made there or at home." The same language was adopted by other speakers; and when the assembly came to the solemn resolution, of desisting from all legislation at a juncture when there was the most urgent necessity for the discharge of its functions, unless upon conditions which the imperial parliament could never concede, he was of opinion that they were far more prepared than the right hon. baronet might anticipate for a measure like the present. The de-

clared determination of Sir Robert Peel to oppose the project because the preamble was too narrow for the bill, however much he might possibly on general grounds agree with the government, was a decision unworthy of his high position in the country.

The only chance, continued the under-secretary, of securing the investment of English capital in the island, and ensuring success to the great experiments about to be tried of cultivating the estates by free labour, lay in the timely introduction of proper regulations. It would be most vexatious if, after all, the negroes should take to squatting and pass their lives in indolence; and yet but half of the good work would have been achieved until the black was raised to the condition of a free and laborious citizen. As matters stood the negro refused to enter into contracts. Now the only method for obtaining from the black population the continuous labour which was notoriously indispensable for the cultivation of sugar, was to induce them to enter into an agreement to work uninterruptedly for a stipulated sum of money. So arbitrary, however, and partial was the power assigned by the present law of contract to the master, that the negro was naturally reluctant to engage himself on such conditions. This called for alteration—so likewise did the law relating to the militia—so did the vagrancy law, and the constitution of the courts of justice, and it would also be advisable to introduce some legal measure of relief for the poor. Nothing, however, could be effected in the present discontinuance of all legislation. The government were not disposed on their part to make the required concessions, and there was

little hope that the assembly would resume its operations to any satisfactory purpose. The present measure, however, avowedly an arbitrary one, would after all only place Jamaica for the time on the same footing with the other crown colonies who were administered by a governor and council. Mr. Labouchere further observed that there was no intention of positively restricting the number of councillors to twelve, and concluded by proposing two years and a half instead of five, as the shortest interval within which the measures in contemplation could be prepared.

Mr. Godson, who opposed the measure, and entered into some details on the subject of the present state of the representation of the white inhabitants, was succeeded by Mr. Charles Buller, who delivered a clever speech in its favour. The hon. member for Liskeard admitted the utter invalidity of the ground alleged in the preamble, but thought, at the same time, that the bill was required by the general circumstances of the black and white people for the purpose of carrying out the emancipation act, of which it would have formed a part, if Lord Stanley, who conducted that measure, had possessed any adequate appreciation of the task he had undertaken. He could remember no similarly great social resolution, and in history there was none such recorded, and yet, during the whole supplementary period of delay which had since elapsed, they had neglected to introduce one single modification into the political institutions of a people who had been the subjects of so violent an operation. True it was, that slavery had existed in Europe also, and had there been long extinguished; but its termi-

nation was brought about in this instance by the spontaneous efforts of the communities in which it prevailed; the minds of men were prepared gradually for the change; and the same process of public opinion which abolished personal servitude simultaneously enlarged the political rights of the labouring classes.

But, contended Mr. Buller, in the present case, out of a population of 400,000 the act had enfranchised more than 300,000 degraded persons, and clothed them with all the responsibilities and privileges of freemen. Many laws were required by so momentous a change for the protection of freemen in their new condition. It was one of the peculiarities of slavery that it needed scarcely any laws to regulate the common relations of life. So long as men were in that condition they had no civil rights, but with the acquisition of freedom they incurred a variety of relations, which before had no existence in the state. The respective positions of master and servant, landlord and tenant were then created—relations affording an ample field for legislation in the total absence of any regulative enactment. In a state of servitude, again, it was the master who took care of all the poor; and no vagrant laws were in operation but what were directed against runaway slaves who alone could be punished for vagrancy. Very many, moreover, of the crimes in such colonies were offences against the masters who themselves adjudicated upon the greater number of those delinquencies, and the same persons also adjusted disputes which arose between their slaves. But now, continued the hon. member, that they are become free citizens, it was

necessary to supply all these legislative deficiencies—the whole of the civil and the greater part of the criminal law needed to be supplied, nor ought any time ought to be lost in introducing measures relative to paupers, and making provision, above all, for that education which was in reality, the only mode by which to convert a degraded being into a free man.

But these great ends were only to be achieved by men who had no regrets for property, or power that had passed away, not under the conduct of persons who sought to perpetuate slavery beneath the colour of the vagrant laws, or by means of iniquitous contracts for labour, which converted into helpless savages the men whom they could not reduce to servitude: yet when had the Jamaican assembly ever made laws in any other spirit? Or was it likely that men, who had for twenty years obstructed every measure for the benefit of the slaves, would enter upon their present functions with any more amicable disposition.

Possessing as he did some knowledge of the legislative information which existed in the colonies, Mr. Buller had arrived at the conclusion, that although they commanded ample materials for the routine of law-making in ordinary times, it was not possible for any similarly-constituted colony to furnish persons competent to execute the great task which was now to be performed.

A more amusing field for animadversion was presented by the affected lamentation of the right hon. baronet over the interference, with, what he was pleased to term, the popular rights of a government, which was in fact made up of a two-hundredth part of the whole

constituency. Sir Robert Peel was consistent in this; but what could be said of other hon. gentlemen, the real friends of popular privileges, who gave their support and sympathy to the member for Tamworth on this occasion? The member for Kilkenny was indeed always wrong on this question, it was probably his one weak point, but certainly in these debates his hon. friend was apt to lean a great deal more than was due to the planters and too little to the slaves. He would, therefore, leave Mr. Hume out of his consideration, and confine his astonishment to the conduct of those liberal members who could compare the proposed administration of a governor aided by a council of English gentlemen who were amenable to public opinion, to the most oppressive and corrupt of oligarchies, an ancient oligarchical aristocracy of overseers and attorneys.

It was said that all this would soon find its remedy in the accession of the coloured population to the franchise; but this gave him no consolation, neither party ought to be set over the other; and little as was the credit due to the supposition of any natural incapacity in the black population, there were nevertheless some temporarily disqualifying circumstances contracted in long habits of degradation which made him unable to anticipate without apprehension the rapid multiplication of the franchise, from the extensive creation of qualifications which must take place in the existing impossibility of preventing the negroes from squatting upon the unoccupied lands.

Whatever might be the merits of the details of the bill, the principle of the bill was good, founded

as it was in lamentable necessity. He would not resort to sir Robert Peel's proposal for escaping from the difficulty, because the actual existence of the constitution in question was still an incorrigible evil—[*Hear, hear, from Sir R. Peel.*] "I suppose," said Mr. Buller, (who occasioned some laughter by his jocular self-possession, and rather vernacular language,) "I suppose from the cheering of the right hon. baronet, who never cheers without a meaning, that I have put my foot in it, and given him some great advantage. I agree, however, with him in the general principle that the constitution of the assembly ought to be altered, but on the other hand I desire to use the present occasion for making the alteration. Whenever an opportunity offers of upsetting an oligarchy, I will never let it pass. Does the course proposed by the right hon. baronet present any chance of honourable extrication? He comes forward as a mediator, but has taken up the oddest, the most indefensible position. He is not half as good a mediator as I am, for I have the people of Jamaica with me, and the hon. baronet is opposed to them. On principle I protest against the course propounded of leaving the assembly a *locus penitentiae*. If you undertake to upset a constitution it ought to be effected absolutely, not contingently, and upon grave and comprehensive reasons of state, without leaving it dependent upon the good temper of ministers or their antagonists, or the quality of the conduct displayed in the management of a quarrel between two rival parties."

Mr. Hume addressed the house after Mr. Buller. He expressed his reluctance to separate himself

VOL. LXXXI.

on this occasion from a liberal government, but it was really impossible for him to give his vote in favour of so great an injustice as this.

No other member appearing disposed to continue the debate, the speaker was about to put the question, and the house had begun to clear for a division, when sir George Grey, the late under-secretary for the colonies, rose. He complained that no conservative member had seized this opportunity of producing reasons against the measure somewhat stronger than any with which they had been favoured by the right hon. baronet, whose distinguished abilities seemed on this occasion to have been weighed down by the opposite array of facts and arguments, which he had rather evaded than discussed. The right hon. gentleman then went on to notice a variety of instances in which the assembly had eluded the recommendations of government in favour of the negroes, and referred in attestation to several conservative authorities. He then entered into the circumstances which created the necessity of the prison bill, and proceeded to vindicate the conduct of government in the introduction of it with much spirit and clearness.

The adjournment of the debate was then moved by Mr. Maclean, who opened the discussion on the Monday following. He contrasted the course now adopted with the policy pursued by the same ministers with regard to Canada, and maintained that in this measure, as in the India bill under George the Third, the real object of the Whigs was to lay hands upon the colonial power and patronage.

Sir Eardly Wilmot hoped the

[1]

house would not allow the masters to retain the negroes in slavery under the mask of freedom. To prevent so great an evil, it was his intention to support the bill, however desirous he might feel of displacing the present ministers.

Mr. Grote declared that he was unable to discern in this bill any prospect of benefit to the blacks, while it betrayed many tokens of severity towards the white population. The one thing desirable was, to introduce among the recently enfranchised people, oblivion of the past and patience under present circumstances. If the present constitution failed to represent the opinions of the great body of the people, he was quite content to enlarge the constituency, and this indeed, and not the violent suspension of the assembly, was the proper and specific remedy for the evil. Should the proposed abrogation be allowed to take place, no man, he would venture to say, would ever witness a revival. The supporters of the bill themselves, urged the hon. gentleman, treated the reasons assigned by the government with just contempt; but if the bill could not be maintained on its preamble, it ought not to stand at all. The movement in behalf of this measure was nothing more than an exaggerated anti-slavery feeling, kept alive after its legitimate purposes had been all fulfilled; and the government, in point of fact, instead of endeavouring to put the assembly in a favourable temper for legislation, had done every thing to exasperate them, both in substance and manner.

Mr. Warburton declared that the objection taken to the preamble did not affect his mind, for it had not been usual to state in preambles

all the reasons of the enactments following them. Mr. Gally Knight took the opposite view of the question, and was followed on the same side by Mr. Goulburn, who observed that none of its supporters had defended the bill upon the grounds upon which it had been introduced. They all maintained that it was not possible for a body who had been accustomed to rule over slaves, to make the laws necessary for those persons who had been emancipated. If that was a just view of the case, were they prepared to suspend the constitutions of the other West Indian colonies? And yet these islands had acted far more reprehensibly than the legislature in question; and instead of insulting the government by merely doing nothing, they had passed a number of enactments, relating to contracts between masters and servants, of so tyrannical and exorbitant a character, that the government had been compelled, in almost every case, to disavow them. They were called upon to support this bill, on the grounds that it favoured the interests of humanity—a delusive expectation, for it was well known that in the United States, emancipation had been combated with redoubled acrimony since this country had given freedom to the slaves in her colonial possessions. Was it, indeed, to be hoped that Virginia, Carolina, or Maryland could ever be brought to liberate their blacks, when the people of those countries were given to understand by the British parliament that emancipation was not possible without the abolition of existing free institutions? Parliament, said the right hon. gentleman, would act much more wisely, if they would abstain from breaking down the

whole order of society, and leave the negro population to be absorbed, as they gradually would be by the operation of the colonial election law, into the constitutional body, where they might make for themselves those enactments, which would be but imperfectly framed, either by a secretary of state or a legislative council of commissioners.

Mr. O'Connell lent his countenance to the ministerial measure, and was followed by Mr. Gladstone, who went at some length into the principal topics of the debate with his usual clearness and facility. It was with him a matter of much regret, that the noble lord opposite had not consented to admit the proposal of his right hon. friend. There was but little advantage in exhibiting the British Parliament in a light under which it had not for many years been presented with regard to any one of the colonies of England—a display the more gratuitous, inasmuch as the present measure, whatever might become of it, was already defeated for all practical purposes.

The bill, observed Mr. Gladstone, might be considered in one of two lights—as a penal enactment, or on grounds of general policy; and he would first approach it on the former supposition. It was certainly introduced under a purely penal aspect; nothing then was heard—no mention was made in the recital—of motives founded in general expediency. The practice of giving expression to the main principles of a public act in the preamble, was a great security for the liberty of the subject; but more especially, in a bill like the one before them, the principle ought to be there distinctly stated, or never introduced at all. The

penalties of the measure had been defended on various grounds. Some pointed to the violent language of the protests, but this alone, however reprehensible, could never warrant them in abrogating a constitution; nor were they furnished with any better justification for so grave a step by the allegation of the assembly, that the bill had not the force of law; for who, demanded the hon. member, could be so ignorant as to suppose that the opinion of individuals upon the legality of an act of parliament, derived any value whatever from the position which they held? The most serious charge, however, was founded upon their alleged demand of the repeal of the prison act. In the fourth resolution, the assembly declared their intention of abstaining from all legislation but what might be necessary for preserving faith with the public creditor, until they were informed what her majesty's pleasure really was, with regard to the footing upon which they must in future be placed in relation to the imperial parliament respecting the power of making laws. How could any member, he would ask, in the absence of some instinctive knowledge, discover in such expressions the smallest allusion to the revocation of the gaol bill? The proposed measure had, in point of fact, originated in a misinterpretation of the sentiments of the colonial parliament. A demand, no doubt was made, but it called for nothing beyond an explanation of the intention of ministers, with regard to the independent exercise of their privileges of internal legislation, and greatly was it to be lamented, that sir Lionel Smith was not instructed by government to furnish the required assurance, by such an open-

ing of their salutary designs for all classes of the West Indian people, as would mitigate their not unnatural mortification at an anomalous intervention. In the event of the assembly persisting in its contumacy the bill would not then have encountered one dissentient voice. Nothing was more easy, said Mr. Gladstone, than to make light of these notions of colonial punctilio, and the assembly would, perhaps, have taken the more dignified part in proceeding, under protest, to the regular discharge of its functions, but it was, notwithstanding, undeniable that the passing of the prisons bill, had given them very fair grounds for expostulation.

With what extreme haste moreover had not the bill been passed? Although the commission was issued in May, captain Pringle did not arrive in Jamaica till November in 1837. In February, he returned to England without putting the assembly in possession of his report, and no further steps were taken till July. Had he gone out in good time, and transmitted his report at once, it might have then been referred to the assembly, who would thus have had an occasion of proving the sincerity of their professed intention of improving themselves the prison discipline. But the government, after losing so much time in preliminary inquiries, was driven to pass the measure with the most unwarrantable precipitation.

This was not all. The form of the act was a departure from every precedent by which colonial legislation had been interfered with. The act of emancipation was in the nature of a compact, and was accepted as such by the colonial assembly. Since that period parliament had passed three other

acts with reference to colonial government. The intention of the first of these was declared expressly in the preamble, to be the execution of the purposes of the act of emancipation. The second measure, which related to West Indian judicatures, also recited in like manner, the justifying circumstance, that by reason of the separation of the several governments, the contemplated courts of judicature could not be erected without recurring to the authority of parliament; and such was the regard exhibited in this act to the local legislatures, who, indeed, looked upon it as a boon, that provision was expressly made to prevent its coming into operation before all existing laws and usages which might have a tendency to obstruct its efficacy, were absolutely repealed by the particular councils and assemblies. No precedent, then, could be drawn from this. Nor could they derive any more support from the bill passed twelve months ago for amending the act of abolition, since that enactment asserted no right of general legislation, but founded itself upon the contract contained in the original measure of emancipation, and was in fact designed to carry out the provisions of the 17th clause of that statute. There had therefore been hitherto no ostensible interference. What was then the shape of the prisons act? Why, as if it simply affected the county of Middlesex. The preamble exhibited not one word of reference to the privileges of the colonial legislature. Its preamble ran simply, "Whereas it is expedient to make further provision for regulating prisons in the West Indian colonies,—and taking into consideration the jealousy with which the colonial legislatures

were apt to regard any interference with their privileges, no man could reasonably be surprised when they demanded an explanation, for it amounted to no more, of the real nature of the claim made by the mother country, still less was it possible to acquiesce in the utter forfeiture proposed to be inflicted on them.

So much, then, for the present bill as a penal measure. With regard to the more general charges of misconduct now put forward as the real ground of the bill, nothing like an answer had been given to the argument of sir Robert Peel, from the commendations passed upon the behaviour of the assembly by the governors and secretaries of state. Granting that the measures of the assembly were not precisely such as would have been passed by impartial men, much allowance was still to be made, on the admission even of their adversaries, for their peculiar position and the tone and temper contracted in a system of slavery. If there were this ground of accusation, why had no bill been before brought forward? No charge was made in 1837, and in 1838 there existed still less foundation, when the government had not furnished them with the means of legislation. In Canada for four years the supplies were stopped, and yet they had not seen fit to suspend the constitution until the country was in open rebellion. Inasmuch then as no notice had been given to the Jamaica assembly, the house was not in a condition to pass such a measure as that which lay before them, nor was it consistent with common honesty to continue year after year to commend the conduct of the legislative body, and afterwards to turn round, and make

this very course of theirs the foundation of a penal measure.

Sir S. Lushington spoke in a declamatory and somewhat bitter tone. Putting the question of the preamble almost entirely aside, he argued for the bill upon the anti-slavery ground. He vindicated at some length, what no one denies—the transcendental power of Parliament over colonial legislation—admonished the house that it was impossible to retreat with safety to the national honour; and protested that if ministers should be overthrown by the result of that night's division, they would fall in a great cause, and owe their discomfiture to the unexpected defection of a knot of liberal gentlemen, who misunderstood the real objects and value of political constitutions.

Lord Stanley, on the other hand, in a short but able speech, expressed his regret to see the talents of a great constitutional lawyer, like the preceding speaker, employed in supporting one of the most arbitrary measures that had ever been presented to a British house of commons. The noble lord admitted, that in ordinary bills the preamble needed not to state every reason for the enactments; but this was a bill of pains and penalties, and if in the present case they did not intend to be bound by their preamble, with what purpose, he would ask, had counsel been heard against it. Lord Stanley then entered at length into the vindication of his own course, in framing the emancipation bill, against the strictures which had been made on the preceding night by Mr. Buller, and proved the expediency of its provisions by the success of the results. The persons who now desired to sus-

pend the assembly for a term of years, in order to mature the negroes for the franchise were the very men who on all former occasions had represented the blacks to be already ripe for the full exercise of civil liberty, and the liberal party, the exclusive lovers of freedom, were now in arms to suspend a free constitution, and that on false pretences.

Lord John Russell closed the debate with a short summary of

the arguments for the bill, and a declamation against the seceders who, he apprehended, were about to desert him. In the issue the apprehensions of the noble lord proved not to be without foundation; for the house divided — in favour of the bill, 294: against it, 289; leaving to ministers a majority of no more than 5; an event which was followed by the immediate resignation of lord Melbourne's cabinet.

CHAPTER VI.

Resignation of the Ministers—Lord John Russell—Failure of Sir R. Peel to form a new Administration—Explanations in the House of Commons—Sir R. Peel's Statement and Correspondence with Her Majesty relative to the Ladies of the Household—Lord John Russell's Reply—Explanations in the House of Lords—Lord Melbourne and the Duke of Wellington—Singular Paragraph in the Globe Newspaper—Honourable William Comper's Letter to the Electors of Hertford—Party Misrepresentations—Shrewsbury Address to Sir R. Peel and the Duke of Wellington—Question asked by the Earl of Winchilsea as to the principles upon which the new Government was to be conducted—Lord Melbourne's Answer—Speech of Lord Brougham—Explanation of the Marquess of Normanby—Resignation of Mr. Abercrombie—Election of Speaker in his place—Mr. Shaw Lefevre proposed by Mr. Handley—Seconded by Sir S. Lushington—Mr. Wynn proposes Mr. Goulburn, who is Seconded by Mr. Wilson Patten—The Candidates address the House—Mr. Lefevre elected—His Speech.

AFTER the vote which the house of commons had come to on the Jamaica Suspension bill, it was equally clear, to both parties, that the measure had sustained a virtual defeat although carried by a majority of five, and that it would be quite impossible for the ministers to proceed with it effectively in committee. It was not, therefore, a matter of astonishment to the country when the leading members of the administration in both houses, declared, on the succeeding evening of the 7th of May, their inability to carry on the government with advantage to the public service, and that they had, in consequence tendered their

resignations which her majesty had been graciously pleased to accept. Lord John Russell stated more particularly, that such a vote as that to which the house had agreed must greatly weaken the authority of the crown in Jamaica, and give in effect and in impression support to the contumacy, as he called it, of the house of assembly. It would, also, dispose the other colonies to imitate the bad example, instead of consenting, as they had hitherto done, to comply with the wishes of the crown. There was, also, this further question; it had been the intention of ministers to bring forward a measure relating to the affairs of Upper and Lower

Canada, and, after the issue of the Jamaica bill, they could not calculate on the necessary support for the settlement of the Canadian question. Lord John Russell concluded with expressing his gratitude to those of his party who had supported the government during the four years they had been in office under circumstances of no slight difficulty, and without their possessing at any time, the confidence of a majority of the other house of Parliament.

After the lapse of a week, the house of commons again met on the 13th of May, and lord John Russell immediately rose and stated, that since he had last addressed them, sir R. Peel had received authority from her Majesty to form a new administration; and that the attempt of the right hon. bart. having failed, her Majesty had been graciously pleased to permit that gentleman to state the circumstances which had led to that failure.

Sir R. Peel then addressed the house. He said, he was aware of the difficulties attending such explanations, and from a part of them he had been relieved by her Majesty's gracious permission, embodied in a letter he had received from lord Melbourne the day before, and which he would read to the house. He then proceeded to detail all the facts necessary for the explanation of his position to the country. At the queen's desire, he had waited upon her at two o'clock on the previous Wednesday. Her Majesty had already invited the duke of Wellington to assist her in the formation of a government, and having been informed by him, that, in his opinion, the chief difficulties a government would have to encounter would be

in the house of commons; for that and for other reasons, the duke had advised her majesty to send for him (sir R. Peel) as the person best qualified to undertake the duties of prime minister. He had accordingly waited upon her majesty, who candidly avowed to him that she parted with her late administration with great regret, as they had given her entire satisfaction. Sir Robert Peel said, he did not think it important to enter into any further particulars of what passed on the occasion; it was sufficient to say, that no one could have expressed feelings more natural and more becoming than her majesty did on this occasion, and at the same time principles more strictly constitutional with respect to the formation of a new government. He stated to her majesty his sense of the difficulties a new government would have to encounter, but having been a party to the vote of the house which led to those difficulties, nothing should prevent him from tending to her majesty every assistance in his power. He accordingly conferred with those friends whom he had the more immediate opportunity of summoning to his aid, and the next day submitted the following list for her majesty's approval, in the formation of the new cabinet.

THE DUKE OF WELLINGTON.

LORD LYNDHURST.

EARL OF ABERDEN.

LORD ELLENBOROUGH.

LORD STANLEY.

SIR JAMES GRAHAM.

SIR HENRY HARDINGE.

MR. GOULBURN.

Sir Robert Peel said, he at the same time mentioned, that while the duke of Wellington placed his services entirely at her majesty's disposal, his own inclination would

be gratified if he were permitted to be in the cabinet without any office, and take the lead in the house of lords. Her majesty, however, expressed a wish that his grace should hold some important office, and a wish to which, under the circumstances, his grace would no doubt, have readily conceded. The right hon. baronet went on to state, that it was not until Thursday, that any difficulty or misconception arose to lead to his relinquishing his attempt to form an administration; and that difficulty related exclusively to that portion of the household which is filled by the ladies in her majesty's service.

It might be better, sir Robert Peel said, that he should confine himself entirely to the written documents which passed on the occasion, in which are conveyed the impressions on the mind of her majesty, as well as on his own, with regard to this matter, and he was content to bear whatever blame might attach to him on account of the imperfectness of the explanations.

On the Wednesday night previous to his conference with her majesty on this particular point, he had stated to those whom he proposed to submit to her majesty as ministers, the course he intended to pursue with respect to the household. He had little considered the subject, and with regard to the female part of it scarcely knew of whom it consisted. He took the red book in his hand, and there saw the different appointments. He said to those whom he intended to be his future colleagues, that with reference to all the subordinate appointments below the rank of a lady of the bedchamber, he should propose no change to her majesty. And, with respect to the

superior class, he took it for granted they would relieve him from any difficulty by at once relinquishing their offices. At the same time, he thought it of great importance as an indication of her majesty's confidence that certain offices in the household of the higher rank, if not voluntarily relinquished by the ladies holding them should be subject to some change, although in some instances the absence of all political feeling might render any such change unnecessary. On the Thursday, then, he saw her majesty, and verbal communications on this subject took place. Into the nature of those communications he would not enter, he would merely read the two letters which subsequently passed—one conveying the impressions of her majesty, and the other his own. The letter which he had the honour of receiving from her majesty was dated May 10th, 1839. He received it at an early hour on Friday Morning, and it was as follows:—

" Buckingham Palace, May 10th, 1839.

"The Queen, having considered the proposal made to her yesterday by sir Robert Peel, to remove the ladies of her bedchamber, cannot consent to adopt a course which she conceives to be contrary to usage, and which is repugnant to her feelings."

Immediately, that is, in two or three hours after having received the letter from her majesty, he addressed to her majesty a letter, of which this is a copy, dated Whitehall, May 10th:—

Whitehall, May 10th, 1839.

"Sir Robert Peel presents his humble duty to your majesty, and has had the honour of receiving your majesty's note of this morning.

"In respectfully submitting to your majesty's pleasure, and humbly returning into your majesty's hands the important trust which your majesty had been graciously pleased to commit to him, sir Robert Peel trusts that your majesty will permit him to state to your majesty his impression, with respect to the circumstances which have led to the termination of his attempt to form an administration for the conduct of your majesty's service.

"In the interview with which your majesty honoured sir Robert Peel yesterday morning, after he had submitted to your majesty the names of those whom he proposed to recommend to your majesty for the principal executive appointments, he mentioned to your majesty his earnest wish to be enabled, by your majesty's sanction, so to constitute your majesty's household that your majesty's confidential servants might have the advantage of a public demonstration of your majesty's full support and confidence; and that at the same time, as far as possible consistently with that demonstration, each individual appointment in the household should be entirely acceptable to your majesty's personal feelings.

"On your majesty expressing a desire that the earl of Liverpool should hold an office in the household, sir Robert Peel requested your majesty's permission at once to offer to lord Liverpool the office of lord steward, or any other which he might prefer.

"Sir Robert Peel then observed, that he should have every wish to apply a similar principle to the chief appointments which are filled by the ladies of your majesty's household; upon which your majesty was pleased to remark, that

you must reserve the whole of these appointments, and that it was your majesty's pleasure that the whole should continue as at present, without any change." "The duke of Wellington, in the interview to which your majesty subsequently admitted him, understood also that this was your majesty's determination, and concurred with sir Robert Peel in opinion that, considering the great difficulties of the present crisis, and the expediency of making every effort in the first instance to conduct the public business of the country with the aid of the present parliament, it was essential to the success of the commission with which your majesty had honoured sir Robert Peel, that he should have that public proof of your majesty's entire support and confidence, which would be afforded by the permission to make some changes in that part of your majesty's household, which your majesty resolved on maintaining entirely without change."

"Having had the opportunity, through your majesty's gracious consideration, of reflecting upon this point, he humbly submits to your majesty that he is reluctantly compelled, by a sense of public duty, and of the interest of your majesty's service, to adhere to the opinion which he ventured to express to your majesty. He trusts he may be permitted at the same time to express to your majesty his grateful acknowledgements for the distinction which your majesty conferred upon him, by requiring his advice and assistance in the attempt to form an administration, and his earnest prayers that whatever arrangements your majesty may be enabled to make for that purpose, may be most conducive to your majesty's personal comfort and

happiness, and to the promotion of the public welfare."

After reading these letters, sir R. Peel begged to notice certain misrepresentations which had been circulated with regard to his own conduct. It had been said that he had made a proposal to the queen, relative to the household which he ought not to have made. The only names he had submitted to her majesty besides that of lord Liverpool, were the names of lord Ashley and lord Sidney. He said to her majesty that he thought it probable the appointment of lord Ashley would be personally acceptable to her. It had also been stated that he called for the dismissal of the whole of the ladies of the household, that he insisted on the removal of her majesty's earliest friend, the baroness Lehzen. He heard this rumour on the Friday evening, and his answer was, "This is the first time for the last four days, that the name of the baroness has been uttered by me." It was time he did decline to undertake the duty of forming an administration on the express understanding that the whole of the appointments held by ladies of the court should be continued. He did so from a sincere belief that it was impossible for him duly to administer public affairs without the fullest proof that he possessed the confidence of her majesty.

"Could I," said sir R. Peel, "look around me and not see that it was my absolute duty to this country, and above all to her majesty, to require that every aid that could be given me should be given? What were the questions which would immediately press for my decision? The state of India—the state of Jamaica—the state of Canada—would all require my im-

mediate consideration; and with respect to some of them the proposal of legislative measures also. I considered the internal state of this country—I saw the insurrection in the provinces—I saw the letter of the noble lord opposite (lord John Russell,) inviting the respectable part of the population of this country to form themselves into armed societies for resisting outrage. Surely, sir, in addition to the ordinary difficulties besetting the course of a prime minister, there are circumstances which render that position at the present moment peculiarly onerous and arduous.

"I had a strong impression that it was my duty to make every effort to conduct public affairs through the intervention of the present parliament. I did not think it desirable to follow the course taken in 1834, and commence the government by a dissolution.

"After the frequent dissolutions that have taken place, and in the balanced state of parties it was my deep conviction, that it was my duty to make every effort in the first instance to conduct public affairs through the intervention of the present parliament. But what is my condition in the present parliament? I should begin the government in a minority. I did not shrink from the difficulty; but considering the questions which press for decision—considering the internal state of this country, could I overlook this important fact, that in the house of commons I should not commence my career commanding a majority? Now, I ask this plain question:—Being invited to take upon myself the responsibility of conducting public affairs, and taking it without the confidence of

the house of commons, could I ask for less, than that I should have, at least, the demonstration of the entire and unqualified confidence of the crown?

"Her majesty's ministers retired on the question of Jamaica, being in a majority of five. I should have had to undertake the settlement of the Jamaica question being in a minority of five, and that minority including ten gentlemen on whose support I could not calculate probably on any other question which I should have occasion to bring before the house. The first conflict I should have to fight would be on the selection of a speaker. On the very first day that I took my seat in the house of commons as minister of this great country, I should have to risk the fate of government upon the choice of a speaker."

"Sir," he continued, "let me take that particular question on which my chief difficulty would arise. Who can conceal from himself that my difficulties were not Canada; that my difficulties were not Jamaica; that my difficulties were Ireland—[ironical cheers]—I admit it fully, and thank you for the confirmation of my argument which those cheers afford. And what is the fact? I, undertaking to be a minister of the crown, and wishing to carry on public affairs through the intervention of the present house of commons, in order that I might exempt the country from the agitation, and possibly the peril, of a dissolution—I, upon that very question of Ireland, should have begun in a minority of upwards of twenty members. A majority of twenty-two had decided in favour of the policy of the Irish government. The chief members of the Irish government,

whose policy was so approved of, were the marquess of Normanby, and the noble lord opposite, the member for Yorkshire, (lord Morpeth). By whom are the two chief offices in the household at this moment held? By the sister of lord Morpeth and the wife of lord Normanby.

"But the question is, would it be considered by the public, that a minister had the confidence of the crown, when the relatives of his immediate political opponents held the highest offices about the person of the sovereign? My impression decidedly was, that I should not appear to the country to be in possession of that confidence; and that impression I could not overcome; and upon that impression I resolved to act. Who were my political opponents? Why, of the two I have named, one, the marquess of Normanby, was publicly stated to be a candidate for the very same office which it was proposed I should fill, namely, the office of prime minister. The other noble lord, (lord Morpeth,) has been designated as the leader of this house; and, I know not why his talents might not justify his appointment in case of the retirement of his predecessor. Is it possible—I ask you to go back to other times; take Pitt or Fox, or any other minister of this proud country, and answer for yourselves this question—is it fitting that one man shall be the minister, responsible for the most arduous charge that can fall to the lot of man; and that the wife of the other—that other his most formidable political enemy—shall, with his express consent, hold office in immediate attendance on the sovereign. Oh, no! I felt it was impossible—I could not consent to this,

"Yes, feelings more powerful than reasoning on those precedents, told me, that it was not for my own honour or the public interests that I should consent to be minister of England. The public interests may suffer nothing by my abandonment of that high trust; the public interests may suffer nothing by my eternal exclusion from power, but the public interests would suffer, and I should be abandoning my duty to myself, my country, and, above all, to the queen my sovereign, if I were to consent to hold power on conditions which I felt to be—which I had the strongest conviction were incompatible with the authority and with the duty of a prime minister.

Lord John Russell rose to reply. He said he felt the same difficulty as the right hon. gentleman in giving explanations with respect to conversations held with her majesty. He then proceeded to advert to some points to which he was authorized to refer, and, amongst other things mentioned, that when lord Melbourne took leave of her majesty after having tendered the resignations of the cabinet he (lord Melbourne) advised her majesty that the best course she could pursue would be to send for the duke of Wellington, and her majesty accordingly did send for him, and his grace referred her majesty to the right hon. gentleman. With respect to the household, her majesty's apprehension of what took place was this, that lord Melbourne informed her that in later times, when a change of administration took place, the great offices of the household, as well as all such as were held by members of either house of Parliament, were at the same time vacated. But with respect to the ladies of

the bedchamber, lord Melbourne had given no advice to her majesty, as that was a point upon which he did not suppose any question would arise.

Lord John then commented on sir R. Peel's statements, and on the several paragraphs of his letter to her majesty, from which he inferred that the principle on which sir R. Peel was disposed to act was this, that while he must claim the privilege of recommending to the chief officers of the household persons who were attached to his own party; he would not press the appointment of any who were not personally acceptable to her majesty. There seemed, however, to be a misunderstanding between her majesty and the right hon. gentleman on this point. The right hon. gentleman did not mean to interfere with the inferior offices of the household, but with the chief appointments only, while the impression on her majesty's mind was that the principle contended for by the right hon. gentleman went to the extent of subjecting the entire household to change at the recommendation of the minister. It was under this impression that her majesty declined "to adopt a course which she believed to be contrary to usage, and repugnant to her feelings." At the same time, in her majesty's view of the case, whether that proposal had been for a total change or a partial one, it would have been equally repugnant to her feelings and destructive to her comfort. Lord John Russell next alluded to various periods in history to show that the course proposed by sir Robert Peel was contrary to usage. In 1710, the ladies Sunderland and Rialton continued ladies of the bedchamber after the removal of their husbands from

office. In 1782, lord Rockingham allowed the duke of Montague to remain master of the horse, and none of the queen's household were changed. In 1783, all the ladies of the bedchamber remained, although the lord chamberlain, lord treasurer, and lord steward were removed. And in 1806 the same principle was acted upon. In 1812, the power asked for by lords Grey and Grenville, and upon the refusal of which their efforts to form a government failed, was a power to change only the great officers of the household. It appeared, therefore, that the power claimed by the right hon. baronet was one greater than any before conferred on a similar occasion. The right hon. gentleman had stated, that he had great difficulties to contend with, and alluded particularly to the state of affairs in Canada, in India, and Jamaica, and more especially to the state of Ireland. That such difficulties did exist, was undoubtedly true, but it appeared to him the right hon. baronet would gain no strength with respect to those objects, by imposing on her majesty a condition which was repugnant to her feelings. Such a course could not have secured for the right hon. baronet the confidence of her majesty, while on the other hand, if the right hon. gentleman had relinquished a proposition so distasteful, her majesty being herself of a high and generous spirit, would have felt the generosity of the right hon. gentleman and treated him with the greater confidence on that account. "Her majesty," said lord John Russell, "certainly stated the circumstances to me very much as the right hon. gentleman has stated them; with respect to herself, exactly as he has stated them. But, with regard to

the proposition of the right hon. gentleman, the queen certainly had not gathered precisely how he proposed to use the power which was to have been granted. Her majesty after making those statements to me, was pleased to ask whether I thought she was justified in making that refusal; and upon my stating that I thought her majesty was justified, she was then pleased to observe, that, as in the exercise of the powers of the crown, she had hitherto given her support to the administration, she hoped I would consider myself bound now to support her majesty in return. The next day, a cabinet was held in Downing-street, and her majesty's confidential servants, after a consultation, expressed their opinion with regard to these matters in a minute, an extract from which I will take the liberty to read to the house.

"Her majesty's confidential servants, having taken into consideration the letter addressed by her majesty to sir Robert Peel on the 10th of May, and the reply of sir Robert Peel of the same day, are of opinion that, for the purpose of giving to the administration that character of efficiency and stability, and those marks of the constitutional support of the crown, which are required to enable it to act usefully to the public service, it is reasonable that the great officers of the court, and situations in the household held by members of Parliament, should be included in the political arrangements made in a change of the administration; but they are not of opinion that a similar principle should be applied or extended to the offices held by ladies in her majesty's household. "I have stated that what her majesty conceded was as much as ever

was conceded by any sovereign to a person honoured with the task of forming an administration. I have also stated that what was further proposed by the right hon. baronet was not conformable to any usage, and that it was a proposal which was at the same time repugnant to her majesty's feelings. The question then was, whether her majesty's former ministers, notwithstanding the difficulties which had made them tender their resignations were willing so far to act as to state their concurrence with her majesty in her refusal, and thus to become constitutionally responsible for that refusal. [*Cheers and laughter.*] I see that hon. gentlemen opposite seem to think it a subject of great derision that her majesty's servants should have come to the decision to support that refusal. They appear to treat it as a matter of lightness and gaiety, but I, for my part, am prepared to say, that great as those difficulties may have been, though compelled as I felt myself by a sense of duty, to tender my resignation to her majesty, I do conceive that those who think her majesty was justified in what she has done, should not refuse to assume the responsibility which belongs to their opinion, and that they should neither conceal nor evade the avowal of it, but should trust to the opinion of parliament, and of the country as to the result."

At the conclusion of this statement sir Robert Peel rose to assure the noble Lord, that he had relieved him from the greatest load of anxiety he had ever suffered under during his whole life; so fearful had he been that in his own statement of this matter he might have appeared in the slightest manner to do injustice to his sove-

reign. Upon the whole, he believed that there would be found no important difference in the explanations they had respectively given. Under these circumstances, although the noble lord had invited him to enter into any further explanation he might think fit, he very much doubted whether it would not be better to let the matter rest where it was. He thought it would be more respectful to the queen. He would reply only to one point. The noble lord inquired of him whether her majesty did not state that it was her intention to act towards him with openness and fairness. Her majesty certainly did state that he would find her act with perfect openness and fairness, and he thought he had conveyed his impression upon that point when he stated that nothing could have been more becoming or more constitutional than the whole of her majesty's conduct.

The following evening a sort of supplementary explanation of these matters was given by lord Melbourne in the other house of parliament. His lordship went over much of the ground which had been taken by lord John Russell, and commented on sir Robert Peel's letter to her majesty, and the reply which he had felt it his duty to advise her majesty to make. He most distinctly declared at the same time, that as to the ladies of the household he gave her majesty no advice whatever, because he entertained no idea that any question of the kind would have arisen—he had not conceived it possible that the right hon. baronet could have made such a proposition to her majesty. It was not for him to instruct the noble duke, or the right hon. baronet, who had much greater experience than himself in

the conduct of political affairs, but he had not been without experience during the reign of his late majesty, and he begged to declare it to be his conviction, that in these personal matters strokes of force never worked well.

After deprecating the introduction of any topics or arguments of an irritating nature into the discussion, lord Melbourne proceeded to speak in his usual cool and careless manner of his own feelings. "Many accusations," he said, "have been put forth of that general character to which I am exceedingly callous. There are some the truth of which I do not feel, and to which I am very insensible:—these are the accusations of tenacity of office—a desire for place—the imputation of being actuated by motives of ambition or motives of avarice. I know not that I altogether deny them, and I am sure that I care very little about them; but I should be exceedingly sorry if the accusation could be made, and justly made, against me of running away from my post amid the dangers and difficulties of the country, and of abandoning that party by whom I have been maintained and supported. I own, my lords, that I have a very strong feeling upon this subject, and I should be very sorry if the reproach or the accusation could with any show of justice be cast upon me. When I was removed from office in the year 1835, I declared, upon occasions which were then afforded me of addressing bodies of my fellow subjects, that it was by difference of opinion and disunion amongst our supporters that the administration had been broken up, and that nothing but the most complete co-operation of all who in any degree thought with us, could

re-establish us in power, or maintain us there for any length of time after we were re-established. The union which I advised subsisted for a considerable period. It appeared to me at last that it was broken up, and thinking that there was so much discord amongst my supporters as to render it impossible for me to continue to conduct the government efficiently, or to take the measures necessary for the safety and well-being of the country, I resigned my office. I resigned—I will not use so harsh a term as to say, because I was abandoned by my supporters, but because there had, as I conceived, arisen amongst them that amount of difference in opinion, which led me to suppose I could no longer, with honour to myself or advantage to the country, conduct the affairs of government; and I now, my lords, frankly declare that I resume office unequivocally and solely for this reason—that I will not abandon my sovereign in a situation of difficulty and distress, and especially when a demand is made upon her majesty, with which I think she ought not to comply—a demand in my opinion, my lords, inconsistent with her personal honour, and which, if acquiesced in, would make her reign liable to all the changes and variations of political parties, and render her domestic life one constant scene of unhappiness and discomfort."

The duke of Wellington followed in the debate, and spoke with a tone of even greater moderation than lord Melbourne, who had certainly addressed the house in a strain of as much conciliation as the circumstances would seem to admit of. The noble duke, with a dignity of feeling which was no more than natural in him, ex-

pressed his perfect indifference to reports. He had served his country through good report and evil report, unmoved by either the one or the other. He had, however, been surprised at being traduced with having ill-treated his sovereign on this occasion—at his time of life, he could enter the public service with no other motive than to be of service to her. He was not, fortunately, so sensitive about reports as the noble viscount. He then recapitulated the circumstances connected with his part in these negotiations. That he had suggested to her majesty the expediency of selecting for her prime minister a member of the other house of parliament. That he deemed it essential that the minister should possess the entire confidence of her majesty, and with that view should exercise the usual control permitted to the minister by the sovereign in the construction of the household. There was all possible difference between the household of the queen consort and the household of the queen regnant, that of the former who is not a political person being comparatively immaterial. The noble duke next entered into several matters which had been detailed the night before by sir Robert Peel in the other house, and then commented in a very pointed manner on the conduct of lord Melbourne in advising the queen to act upon an impression which he (lord Melbourne) now acknowledged to have been an erroneous one. And the noble duke said, he thought it would be as well if noble lords would not be quite in so great a hurry to give their opinion and advice upon important matters without well assuring themselves that they had a really correct state-

ment before them. The public, he said, would not believe, that the queen held no political conversation with the ladies of her household, and that political influence was not exercised by them, particularly considering who the persons were who held those situations. He believed the history of the country afforded a number of instances in which secret and improper influence had been exercised by means of such conversations. He had a somewhat strong opinion on the subject. He had himself filled the office of the noble viscount, and had felt the inconvenience of an anomalous influence, not exercised perhaps by ladies, but exerted by persons about the court, and that simply in conversations. And the country was at that moment suffering from secret influence of the same description.

The noble duke concluded by expressing his admiration of the personal demeanour of her Majesty in these proceedings, which he characterized as displaying a readiness and firmness much beyond her age.

Lord Melbourne then made one or two observations in reply, in which he begged to deny the existence of any such secret influence as that referred to by the noble duke.

It is hardly necessary to say, that these explanations in parliament created an extraordinary sensation throughout the country, and without noticing the variety of rumours to which they gave birth, we cannot, as faithful annalists overlook some particular circumstances which transpired about the same time. It is a singular fact, that in a ministerial evening paper, the *Globe*, of Thursday, the 9th

of May, there appeared the following paragraph:—

“The determination which it is well known her Majesty has taken, not to allow the change in the government to interfere with the ladies of her court has given great offence to the tories.” Now, as an evening paper must usually be at press about two o’clock in the afternoon, this statement must have been written before the negotiations between sir R. Peel and the duke of Wellington and her majesty had been made known to the world, and a whole day before the *determination* of her majesty had been made known to sir R. Peel himself. There were other circumstances of a somewhat suspicious character connected with these proceedings, but we have the statements made in parliament by lord Melbourne and lord John Russell that they had no previous understanding whatever with her majesty on the subject of these appointments, and, certainly nothing has since come to light to fix on the principal members of the government any part in any political intrigue on this occasion.

The hon. William Cowper, the nephew and private secretary of lord Melbourne, had just vacated his seat for Hertford, by the acceptance of an office which Mr. Sheil had resigned some weeks before, and to which his uncle and patron had nominated him in *articulo mortis* as he professes to have thought it. On the 13th of May, three days after sir Robert Peel’s letter of the 10th had, as lord Melbourne admitted, dispelled “the erroneous impressions” upon which the queen had acted, lord Melbourne’s private secretary published an address to the electors of Hertford in which was the follow-

ing passage. “Every dictate of feeling, of honour, of loyalty, and justice, impels me, at all hazards, to support our queen in her noble resistance to the cruel attempt so unworthily to wrest from her majesty a prerogative hitherto unquestioned, and to usurp the power of dismissing at the ministers’ will those ladies of her court whom, from their sympathy and devotion, and from long acquaintance, her majesty could look upon as friends.”

However immaterial might be Mr. W. Cowper’s own reasons for his support of the queen, as coming from the private secretary of the minister, his near relation, and a person just promoted by him to a parliamentary office, the imputation thus cast out became important enough to deserve attention. It is true, that two days after, and before the misrepresentation could be noticed in parliament, Mr. Cowper thought proper to publish the following recantation:—

“The explanations which have taken place in parliament since my first address, certainly remove all ground for ascribing any but proper and loyal motives to the leaders of the tory party in their late negotiations.” This recantation is dated the 15th of May. The accusation was dated the 13th but we may observe that it was on the same day and long before the departure of the post of that evening, that sir Robert Peel’s explanation was given in Parliament. Mr. Cowper might, therefore, even if his address were already written, have suppressed or at least corrected it by that night’s post. Yet, long after the authoritative admission, thus made, that there was no ground whatsoever “for ascribing any but proper and loyal motives to the leaders of the tory party is

their late negotiations," other less responsible, but more powerful organs of the ministry were permitted and encouraged to propagate again and again the abjured imputation with every possible additional circumstance of crafty and intemperate falsehood.

The partizans of the ministry, says lord Brougham, made an appeal "to the credulity and passions of the multitude, by the most scandalous misrepresentations, by slander the most despicable, so ridiculous, so contemptible, that it had never been surpassed." Lord Brougham, who is a pretty good judge of the bearings of popular opinions, pronounces it, however, to have ended "in the most signal failure, the most utter and total failure, he had ever known." It failed, indeed, universally, and even in quarters where such arts had never failed before; it failed with the populace in the most excitable districts, and was even rejected by a large majority of the common council of the city of London. At the same time, addresses to her majesty poured in from all parts of the country, some congratulating her on the return of lord Melbourne and lord John Russell to office, and others petitioning her majesty to call Sir R. Peel and the duke of Wellington to her councils.

Perhaps the preceding observations would hardly be complete, in an historical view, if we did not mention an address transmitted to sir Robert Peel and the duke of Wellington by the gentlemen of Shrewsbury and its neighbourhood. It seems one had been presented to the queen from the radicals of that town misrepresenting the conduct and motives of the conservative statesmen.

The gentlemen of Shrewsbury indignant at such impudent falsehoods, presented through sir Richard Jenkins, G.C.B., their representative, a counter declaration to sir Robert and the duke, which, as well as their answers, are as we have said, important historical documents, and fit to be recorded with the other facts of this extraordinary case.

SHREWSBURY DECLARATION.

"We, the undersigned inhabitants of Shrewsbury, hereby declare, that we are restrained by dutiful respect to the crown, from entering upon the public discussion of transactions in which the sovereign has been personally engaged. We should have been wholly silent respecting the late ministerial overtures which have ended in the temporary disappointment of her majesty's faithful subjects, were it not for the eager effort of a few partizans of this borough to revive their decaying influence by a dexterous but dishonest use of the present conjuncture. We cannot allow them, unproved, to assume for the first time, the virtue of loyalty, nor, uncontradicted, to carry to the foot of the throne, their own dangerous opinions, as possessing the general sympathy of their townsmen. We, therefore, owe it to ourselves, and to the town of Shrewsbury, to declare that we regard with strong indignation, but with stronger contempt, the false and calumnious assertions by which it is sought for factious ends, to fix the charge of disloyal insolence on those statesmen who are, under a gracious providence, the mainstay of the monarchy and, as we humbly trust, will yet become its preservers. We assert, on the contrary, that the conduct of the duke of Wellington and sir Robert

Peel in the late negotiations was eminently distinguished by constitutional principles, disinterested honesty, and genuine loyalty, and we shall be prepared to unite with those illustrious men in defending the just honour and dignity of the crown, and the integrity of our constitution in church and state.

"May 20th."

To this address both the duke and sir R. Peel returned very full and satisfactory answers, expressive of their great gratification, at the general character of the address, and the medium through which it had been conveyed to them. Sir R. Peel entered into some details as to the view he took of the late transactions which are well worthy of consideration.

"I am," he says, "firmly persuaded that the constitution of this country does not recognize any distinction in respect to public appointments provided for by act of parliament, and instituted for purposes of state, on account of the sex of the parties holding them, and that no minister would be justified in divesting himself of all control and responsibility in respect to a particular class of such appointments.

"If I deemed certain changes in that class necessary for public purposes, it was as clearly my duty to advise them, as it was the duty of lords Grey and Grenville in 1812, to require, 'that the connection of the great officers of the court with the political administration should be clearly established in its first arrangements.'

"They claimed for themselves the credit which I claim, of having acted on public grounds, and they assigned as the justification of *their* conduct, the very same ground which is the justification of

mine—namely, their firm conviction that it was necessary to give to a new government that character of efficiency and stability, and those marks of the constitutional support of the crown, which were required to enable it to act usefully for the public service.

"If the constitution does recognize a distinction between public appointments on account of the sex of the parties holding them, the example of lords Grey and Grenville in 1812, is certainly no authority. If the constitution does not recognize such a distinction, there is no difference between the principle for which I contended and that upon which lord Grey and lord Grenville acted."

A still further discussion on the subject took place in the house of lords, on the 31st of May, in consequence of a question being put by lord Winchilsea, as to the principles on which the new government was to be carried on in its renovated shape. His lordship contended that the ministers having publicly abandoned their office, and the queen having accepted their resignation, the old government had been constitutionally at an end. With this view he appealed to lord Melbourne's own declaration, which he quoted at length to the house, and from which it plainly appeared, that he resigned in consequence of a vote of the house of commons immediately fatal to a measure which he (lord Melbourne) deemed of paramount importance and indispensable to the good government of the country. He was prepared to rest his appeal to the noble viscount on this ground, and to ask him, if the same principles which had hitherto directed the late government, which he main-

tained had been constitutionally extinct, still continued to direct and influence the present one. No man, he insisted, could take a just view of the situation of this country, whether as affecting the fate of its colonies, its foreign relations, or the internal state of the kingdom, without feeling great cause for apprehension. With regard to our foreign alliances, he feared many of those which formerly bound us to other countries were, if not actually broken up, at least so shaken, as to preclude the expectation of their siding with England, should we unfortunately be involved in a foreign war. The spirit of insubordination, also, which had lately prevailed in great part of our colonies, justified alarm for their security and maintenance. Whether our internal state of affairs was considered as relating to Ireland, where there was at that moment an organised state of rebellion to destroy the English connection, or the fearful conspiracy in this country which had been working for the last five years, he asked the noble lords and the country, if he had not a right to expect some declaration at the hands of the minister, who, on the 7th of the month, had made a declaration that he could no longer carry on the affairs of government with honour to the crown or with security to the interests of this country. There had been an abandonment of principle, either on the part of the government, or of some portion of its supporters, for the government was supported by three distinct parties, and he thought the time had arrived when he might constitutionally, in the name of the people of England, call on lord Melbourne to explain, in what respect he was now better prepared

to carry on the affairs of government, than he had been only a few days since.

Lord Melbourne in reply said, he had already stated to their lordships the grounds of his resignation, which had been perfectly apprehended by the noble earl. He would admit the difficulties with which he had to contend were still undiminished, at least by any abandonment of principle on his part; and that the government would still be conducted on those principles on which it had originally been formed, and had been throughout conducted, those, namely, of progressive reform.

The noble earl had adverted to the difficulties which surrounded this country both internally and externally; these he did not mean to extenuate. In the first place, he discerned in the feelings of the people at the present time, a new symptom which might prove more or less dangerous:—those designs which in former times were always glossed over with some projected measure of reform, had been broached in the present day at public meetings, and that by persons possessing no small influence and power, and were accompanied by open professions of intended plunder, violence, and bloodshed. A great change had lately taken place in the constitution of this country, which had excited considerable alarm in the minds of many who had great experience and knowledge in public affairs. One of the ablest and most experienced statesmen in Europe, gave as his opinion with respect to these changes, “that they might do well for times of peace, when there was no financial difficulty, but should we be involved in war and feel the pressure of pecuniary difficul-

ties, we should then see how our new constitution would work." And certainly, continued lord Melbourne, unless there were a due regard for common sense in the country, that danger would be difficult to meet. With regard to what had taken place, he was anxious, no doubt, for the great interests committed for the present to his charge, and in some little measure, perhaps, on his own account. Who were the parties best fitted to exercise power in the nation he could not decide, but it would be in point to notice a remark of William III., a man of most prudent, simple, and sagacious mind:—"I do not know," said he to bishop Burnet, "whether a monarchy or a republic be the better form of government—much may be said on either side, but I can tell you that which is the worst—a monarchy which has not the power to put in effect the measures necessary for the good of the people."

This was the explanation offered by the premier. Lord Brougham, who followed the noble viscount, began by declaring that were it not for his paramount sense of duty, and deep devotion before all other claims, to the welfare of his country, the consideration of the part he had so long taken in common with his noble friends near him in public life, and the unbroken bond of personal attachment which in spite of political differences still united him to them, would have counselled him to observe silence in the present discussion. The embarrassment of such a position was, however, further increased by the peculiar tactics pursued by the noble viscount and his supporters out of doors, who were uniform in their endeavours to ex-

hibit those who might feel bound to follow the course he was compelled to adopt, in an aspect of personal opposition to an illustrious lady. The name of the sovereign of these realms had been put forward and tendered to the country in lieu of all explanations, and the private personal feelings of that illustrious princess had been made the topic of every riotous meeting—of all the demagogues who have set to work to support a sinking administration. "For themselves the ministers have nothing to say, no measure to promise, no defence to make of their policy—but the cry of the "queen, the queen, the queen;" and to sum up all in the words of a kinaman of my noble friend and also his private secretary, "sir Robert Peel's attempt to form a government was defeated by two ladies of the bed-chamber."

He felt an answer should be given to this noble friend's observations, that there were difficulties abroad and at home, which required a government possessed of the fullest confidence of the houses of parliament, and this brought him to the question put by his noble friend. How did it happen, that lord Melbourne in that house and lord John Russell in the other house, should have declared they had lost the confidence of parliament, that they had no hopes of being supported in this country, or they should have had recourse to the usual expedient in such cases, but under these circumstances they gave up the government surrounded by difficulties at home and abroad? This happened on the 7th of May, and on the 14th, that very day week, his noble friend in the same place stated, that, notwithstanding all he

had said the week before, he was about to resume the government, and, therefore, meant to ask of the house to adjourn for ten or twelve days. What was there on the 31st of May to show, that the ministers had more of the confidence of the house and the country than on the 7th of May, when they resigned? He (lord Brougham) was most anxious to see an end to the finality doctrine, which had occasioned his opposition to government, and again to extend to them the right hand of fellowship, for personally he had never ceased to be their friend. It was that feeling which induced him to hope they really meant to make such a change in their policy. Now, it could not be denied, that with respect to the finality question, the whole cabinet was of the same opinion as lord John Russell. He trusted, however, they might abandon it, and every noble lord in that house knew, that such was the strong feelings of the reformers who had fought in the same ranks with them. It was on this account he had supposed that ministers themselves would have considered this the basis on which their new government was to be placed, for now it was to be called on account of their former declaration, that they had lost the confidence of parliament, and, therefore, were to stand on a totally new ground, which he was sure would be a constitutional one. This he had supposed, for he never dreamt of any, and above all of a whig government standing upon such a ground as the present, namely, a bed-chamber question, a question of personal feeling towards the sovereign. This was the ground for resuming office, and upon that ground they appealed to the country for support.

One of the first falsehoods in support of this plan spread over the country was, that sir Robert Peel had made an attempt to deprive her majesty of all her ladies. Nothing more false or foul had ever been uttered or printed. There had been a misapprehension in the breast of the sovereign which his noble friend had admitted, but what was the advantage of satisfactorily contradicting it in parliament, when a ministerial member was declaring in public, that an attempt had been made to violate the sanctuary of the sovereign and to drive from her all her ladies. There was also another falsehood in circulation calculated to produce a deep effect in England. "Only think," it was said "of those politicians (meaning their opponents) who want to deprive the queen of her earliest friends—friends attached to her in childhood, who watched over her in sickness, cheered and made her happy in her hours of health, and were her old and constant companions." Her gracious majesty was now about nineteen or near twenty, and how long did they suppose these old, tender, and constant companions, had been known to her? exactly one year—so for eighteen years they were unacquainted with her—during all that time not one of them had approached her. It was said it would be a natural arrangement to have one set of men in office and another set of women in office—this doctrine was reserved for the year 1839. It was reserved for the whigs, who, in 1812, had maintained an opposite opinion and who had refused to come into office because lords of the bed-chamber were to be retained by the sovereign.

This was certainly an extraor-

dinary position, and threw a new light on the formation of a government, that when ministers said they resigned, it meant only the husbands were to resign, and the wives not acting in conformity with them would not resign, that half went out, the "better half" remaining in, and a government saying, "we are in office until our successors are appointed" meant "we are out of office only until our wives and sisters prevent those who might be our successors from forming a government." It was a painful thing to be called upon to discuss a subject with which ladies were mixed up, but it had become a state question, the ladies of the bedchamber had been turned into a political engine and made the pivot on which the ministry was to turn. They had ceased to be the mere companions of the sovereign's private life, they had actually become statesmen, though not clothed in male attire, and stood between the wishes of parliament and the granting of those wishes. There were grave matters mixed up with this question, it had great constitutional bearings, and was connected with many and serious consequences. There was in point of authority no difference between the houses of parliament, neither had confidence in his noble friend's government. Both desired a change; of one his noble friend had lost the confidence, and of the other he never had any to lose. His noble friend's government had not lost the confidence of the sovereign, that was all, but how was it that that confidence seemed of so much more value on Monday 14th May than on Monday 7th May. Upon what ground did that continued, but not increased, confidence enable the present government to carry on

the business of the country in the face of the houses of parliament. Was it come to this that the parliament and the country must yield to the caprice of the ministers? it was not the caprice of parliament, parliament could have no caprice; it was the "wisdom of parliament." Then it might be the caprice of the sovereign. He knew it was not, he had the honor of knowing that illustrious individual from her earliest childhood, and he emphatically asserted there never was a person having less caprice than that illustrious princess.

He had thought they belonged to a country in which the government by the crown and the wisdom of parliament was every thing, and the personal feelings of the sovereign absolutely not to be named at the same time, and to be of course most respectfully venerated, but never to be allowed to interfere with the sober judgment of parliament—to countervail the highest interests of the state. That was the language of the constitution. He little thought in this advanced period of our history to be obliged to argue this question with whigs, the descendants of the ministers, who, because they would not subscribe to this creed refused to be the ministers of 1812. He little thought to have lived to hear it said by the whigs of 1839, "Let us rally round the queen; never mind the house of commons; never mind measures, throw principles to the dogs, leave pledges unredeemed, but for God's sake rally round the throne." Little did he think the day would come, when he should hear such language not from the unconstitutional place-hunting, king-loving Tories, who thought the public was made for the king, not the king for the pub-

lie; but from the whigs themselves. The Jamaica bill, continued lord Brougham, said to be a most important measure, had been brought forward. The government had staked their existence upon it, they were not able to carry it, they therefore capitulated they had lost the confidence of the house of commons. They thought it a measure of paramount necessity. Was it, he asked, less necessary now? They had not changed their opinion. If the other was the right measure this must be the wrong. If it was not right to adopt the one, it was wrong to abandon the other. Oh! but that was altered. The Jamaica question was to be new fashioned, principles were to be given up, and all because of two ladies of the bedchamber. [Laughter.] If the case, continued lord Brougham, was ludicrous, the fault was not his. The government said, they would not adopt a measure contrary to their conscience, but they gave up the right measure contrary to their conscientious convictions, and why? Not because their opinions had changed or their minds been favoured with any new light since the 7th of May, but because of a squabble in the bed-chamber. Again, Canada was a most important matter, it was referred to in a speech at the beginning of the session. They had received a message from the crown, recommending attention to the affairs of Canada on a basis pointed out. He had put a question on this subject to his noble friend, and the answer he received was, that measures would be produced unless circumstances occurred to prevent their being brought forward. Did not every man who had eyes to see what those circumstances were, not the circumstances of

Canada, not the merits of the case, but the ladies of the bedchamber.

After the noble lord had concluded a most brilliant speech, which was throughout loudly cheered by the opposite benches, the duke of Wellington and lord Normanby made a few observations, the latter feeling it necessary to explain, how lady Normanby's name had been mixed up with these circumstances. On the day on which the resignation of the ministers took place, he had a conversation with his noble friend the noble marquis (Tavistock) on the subject of the ladies of her majesty's household, and while fully concurring with his noble friend that there could be no doubt of the full right of her majesty to retain these ladies, he remembered to have stated that it might be possible that his connection with the government might place lady Normanby in a different position to the other ladies; and he added if any intimation of this kind was made to him he should act upon it.

Accordingly, when informed of the difficulties stated to be in the way of the formation of a new ministry, which was not till the meeting at his noble friend's house on Thursday evening, he, that very night, communicated to lady Normanby his feeling that it was advisable she should resign her situation, and lady Normanby tendered her resignation the following morning.

Lord Brougham explained that he had not entertained the remotest idea of alluding to anything that had been done by the very amiable personage whose name had been introduced by the noble marquis.

On the 27th of May, as soon as the ministry had been reconstructed, the house met for the election

of a new speaker in the room of Mr. Abercrombie, who had three weeks previously declared his intention of resigning, having no longer sufficient strength to perform the arduous duties imposed on him by the office. He had on that occasion received through sir R. Peel and lord John Russell the highest testimonies as to the esteem in which he was held by the two great parties, not only for his conduct in the chair, but also for his strenuous exertions to improve the mode of conducting the private business of the house. He had since been called to the house of peers by the title of lord Dunfermline.

Mr. Handley, who rose to propose Mr. Shaw Lefevre, the member for North Hants, as a person eminently qualified to succeed to the vacant chair, commenced his address by a high eulogium on the merits of the late speaker, in which he was joined by every member who took part in the debate. He said, however, that he had hoped that the name of the member for North Hants would have been so acceptable to the house, that they should have been spared the pain of a contest on the occasion, by a unanimous vote. On this subject, Mr. Handley said, he might expect to be considered impartial, because in 1835 on the question of the re-election of Mr. Manners Sutton, he had felt himself bound to separate from his party and vote for that gentleman. He humbly protested against the chair being considered as an appendage to ministerial patronage. The election ought not to be made a matter of party, neither ought it to be regarded as a reward for long official services, because the habits imparted by such services were in his

opinion incompatible with the maintenance of strict impartiality. In the speaker there should be spirit and courage to defend and assert the privileges of the house, and these qualities none could deny to Mr. Lefevre. He was also a man of unwearied diligence in the dispatch of business, and it might be remembered by some hon. members, that two years previous it had been thought proper, in consequence of the state of private business at that time, to appoint a committee of forty-two members to devise a remedy for the confusion into which it had fallen, and by which committee his hon. friend was placed in the chair. And he would appeal to those who served on that committee whether it was not owing to the real talent and sound judgment of his hon. friend that their labours were brought to a successful termination. Mr. Lefevre possessed likewise that urbanity of manner and that frank and open bearing so indispensable in a speaker for the repression of the angry excitement which sometimes arose in the house.

Sir Stephen Lushington, who seconded the proposition that Mr. Lefevre should take the chair, passed a similar eulogium on that gentleman, but supported the motion on very different grounds. He believed the people of England looked with anxiety to the result, as displaying the feeling of the house, whether they were to advance or whether they were to stand still. He professed and avowed it. He did support Mr. Lefevre, because his opinions were popular, because he had been an advocate of reform, and because he believed his election would satisfy the people that the house intended to proceed until they had realised

the just expectations of the country.

Mr. Williams Wynn, from his great experience and reputation in the house, and great knowledge of the forms and precedents of parliament, had been selected to propose the rival candidate, and he accordingly stated that Mr. Goulburn, the member for the university of Cambridge, was the gentleman to whom he felt disposed to give the preference. In him would be found great self-possession, vigour, and resolution, and a great degree of courtesy to temper these qualities. He had also great experience in the practice of the house. Neither, said Mr. Wynn, could he conceive how it could be urged as an objection to him that he had held office under the crown. The late speaker had been elected from being a member of his majesty's cabinet. Sergeant Mitford had been elected to be speaker from the office of attorney-general. Mr. Abbott was elected from the office of chief-secretary for Ireland. Mr. Mannors Sutton had been elected speaker from the office of judge advocate. Surely if this was a just ground of complaint, it would have been discovered before this; whereas, on the contrary, they were compelled to acknowledge the fairness and impartiality of those who had successively occupied the chair.

Mr. Wilson Patten seconded the nomination of Mr. Goulburn. After the candidates had severally addressed a few words to the house,

expressing their gratitude to their own supporters, and their sense of their own unworthiness to fill so distinguished a post, the house divided, on the motion that Mr. Shaw Lefevre do take the chair, which was carried by a majority of 18; there being for the motion 317, and against it 299. Mr. Shaw Lefevre was then led to the chair by Mr. Handley and sir Stephen Lushington, when he addressed the house to the following effect: "I venture to offer my sincere and heartfelt acknowledgements for the distinguished honour you have conferred upon me. I wish your election had fallen on an individual more worthy of the honour; but I assure you I will endeavour by an honest and impartial discharge of my duties to deserve the high distinction I have received at your hands." Lord John Russell immediately rose to present the congratulations of the house to the new speaker, and in so doing expressed very great pleasure that there had appeared a disposition to give every credit to the qualifications of the two members proposed, and that there had been nothing in the competition to create an unpleasant feeling on either side, but that both parties would now readily concur in affording to the member for North Hampshire that unanimous support by which alone he could hope to preserve order, and carry properly into effect the important duties confided to him.

CHAPTER VII.

National Education—Proposition of the Government—Normal Schools—Minute of the Privy Council—Call of the House—Subsequent Abandonment of the Plan of a Normal School—Debate on the Subject in the House of Commons—Lord Stanley objects to the proposed Board—Opinion of Chief Justice Holt—Doctrines of Religion—Treasury Minute of 1834—Returns for 1834, 1835, 1836, 1837—Lord Morpeth, Lord Ashley—General and Special Religion—Report of the National Society—Mr. Hawes—Statistics of Crime—Mr. Wyse—Ignorance of the People—The Impostor Thom, and his Followers—Statistics of Education—Mr. Colquhoun—Mr. Charles Butler—Mr. D'Israeli—Sir George Staunton—Mr. Gibson—Sir Robert Inglis—Mr. O'Connell—Wesleyan Methodists—Mr. Gladstone—Number of Dissents—State Conscience—Petition of the Protestant Dissenters—Chancellor of the Exchequer—Church in the Colonies—Sir James Graham—Lord John Russell—Reports from Chaplains of Prisons—Sir Robert Peel—Division in the House of Commons—Lord Mahon—Mr. Sheil—Majority of Two—Debate in the House of Lords—Archbishop of Canterbury—Statistics of Schools—Resolutions—Lord Lansdowne—Bishop of Exeter—Bishop of London—Mr. Guerry—M. Cousin—Lord Brougham—Duke of Wellington—Division in the House of Lords—National Society—Lord Brougham's Propositions.

SINCE the year 1833 the sum of 20,000*l.* had been annually granted by parliament in furtherance of the great work of national education in this kingdom. Up to this time the National Society and the British and Foreign School Society had without distinction of party enjoyed in equitable proportions the benefit of this grant, which although very inadequate in itself to the wants of the community, had, nevertheless, by the aid and encouragement which it afforded to private charity and be-

nevolence, been attended with the happiest consequences to the poorer classes. It was, moreover, an acknowledgment on the part of the house of commons of the great duty of extending the blessings of moral and religious culture, and of making a suitable public provision for that purpose. There cannot, therefore, be much doubt but that any proposition on the part of the government to increase and facilitate the means of education on the principle thus recognized, would have met with the

general concurrence and approbation of all parties in the house of commons. The government, however, were not satisfied with merely proposing an increase of the educational grant, but they required at the same time to be at liberty to change entirely the mode of its distribution. In the course of the session very long, elaborate and interesting debates took place on this subject, and the consideration of the comparatively unimportant details of the ministerial measure, was made the pretext for discussing again and again the whole question of national education. The intentions of the government were first made known to the house on the 12th of February, when lord John Russell, in presenting certain papers connected with the matter, gave an outline of his own views upon it, and stated the determination to which himself and his colleagues had come respecting it. He proposed that the president of the council and other privy councillors not exceeding five, should form a board to consider in what manner the grants made by parliament should be distributed. He also stated that the first object in his opinion, of such a board should be, the establishment of a good normal school; and in order to make that as perfect as possible, attention should be mainly directed to four objects: 1st. Religious instruction; 2ndly. General education; 3dly. Moral training; 4thly. Habits of industry applied in learning some trade or profession. Beyond this vague and general outline of their proposition no further explanation was given by lord John Russell or the government on this occasion. Such as it was, it was regarded with various feelings by the House and the public. Sir Robert Inglis

confessed the noble lord had proposed to do less evil than he expected, while on the other hand Mr. Wyse, member for Waterford and chairman of the central society of education, complained that his lordship had done less good than might have been hoped for. The way, however, in which this step was afterwards followed up by the government will best appear from a minute of the privy council of the 3rd of June—"The lords of the committee recommend by their report, that the sum of 10,000*l.* granted by parliament in 1835 towards the erection of normal or model schools be given in equal proportions to the national society and the British and Foreign school society. That the remainder of the subsequent grants of the years 1837 and 1838 yet unappropriated, and any grant that may be voted in the present year, be chiefly applied in aid of subscriptions for buildings, and in particular cases for the support of schools connected with these societies; but that the rule hitherto adopted of making a grant to those places where the largest proportion is subscribed, be not invariably adhered to, should applications be made from very poor and populous districts, where subscriptions to a sufficient amount cannot be obtained.

"The committee do not feel themselves precluded from making grants in particular cases, which shall appear to them to call for the aid of government, although the application may not come from either of the two mentioned societies.

"The committee are of opinion that the most useful applications of any sums voted by parliament would consist in the employment of those monies in the establishment of a normal school under the

direction of the state, and not placed under the management of a voluntary society. The committee, however, experience so much difficulty in reconciling conflicting views respecting the provisions which they are desirous to make in furtherance of your majesty's wish that the children and teachers instructed in this school should be duly trained in the principles of the christian religion, while the rights of conscience should be respected, that it is not in the power of the committee to mature a plan for the accomplishment of this design without further consideration, and they therefore postpone taking any steps for this purpose until greater concurrence of opinion is found to prevail.

"The committee recommend that no further grant be made now or hereafter for the establishment or support of normal schools, or of any other schools, unless the right of inspection be retained in order to secure a conformity to the regulations and discipline established in the several schools with such improvements as may from time to time be suggested by the committee. A part of any grant voted in the present year may be usefully applied to the purposes of inspection, and to the means of acquiring a complete knowledge of the present state of education in England and Wales."

The day after the committee had come to these resolutions, lord Ashley, pursuant to a notice he had given, moved a call of the house for the 14th of June; and lord John Russell, in seconding the motion, took the opportunity of warning the house against the petitions which had in great numbers been presented against the ministerial scheme. According to the

noble lord, great error and misrepresentation prevailed on this subject throughout the country. He also stated, that the government were prepared to give way on this as they had done on several other measures, and that they did not intend to persist in their proposal to found a normal school. After forestalling the general discussion appointed for the 14th, by entering at some length into the merits of the National Society and the British and Foreign School Society, the noble lord stated, that he should be ready, at the proper time, to go into the report of the committee of the privy council, and should also propose that the vote of 30,000*l.*, of which he had given notice, should be divided, as it had hitherto been, between the two societies. This statement was followed by some general remarks of an unimportant description from many of the hon. members present, and the further consideration of the matter was adjourned until the 14th instant, when lord John Russell moved the order of the day for the house going into a committee of supply. Lord Stanley immediately rose to object to the proposition for giving a direct control over the moral and religious education of the people to a board or committee exclusively political in its character, having no fixed principle of action, and which, from the nature of its constitution, excluded those individuals who were the best entitled to superintend the education of the people. If it had been proposed that the proceedings of this board should have been limited to purely executive purposes, and if the plan had been merely to transfer to the committee the authority formerly vested in the lords of the treasury, which was a

definite authority, exercised for the purpose of distributing the grant of assistance to the two societies, whose plans were subject to definite rules, he would not have objected to the transfer of that authority from the treasury to a committee of the privy council; but that was not the object of the government scheme. He thought it, however, highly objectionable that funds should be placed in the hands of a government without any restrictions regarding its distribution, and independent of the control of parliament, and which might, therefore, be applied to the support of the views of its own political friends. And, if there was danger in intrusting funds of this description to a government powerfully supported by parliament and strong in the confidence of the country, it was doubly dangerous to intrust them without restraint to one powerless in itself, and so weak and feeble as absolutely to be struggling for its political existence.

Lord Stanley said, he could easily understand the views of those gentlemen who limited the term "education," and applied it solely to temporal instruction apart from spiritual knowledge, and he perfectly concurred in their view, that with such a system of education, the clergy had nothing to do, and that it would be most fitly intrusted to a body of laymen. But that was not the view in which education was regarded by the people of this country. They viewed it in the light in which history had always regarded it, as part and parcel of the constitution and laws of the land, and not as a thing apart from religion or the church, but rather as the peculiar province of the clergy, and as a spiritual matter

to be entrusted to their superintendence.

In giving judgment on a case, in which reference had been made to the ecclesiastical tribunals of the country, chief justice Holt laid down the following doctrine:—"Without doubt, schoolmasters are, in a great measure, intrusted with the instruction of youth in principles, and therefore it is necessary they should be of sound doctrine." Lord John Russell himself, continued the noble lord, had admitted that education was not a thing separate from religion, and that it was necessary in the scheme he proposed to give the youth who were to be educated under its instruction on those points of faith and doctrine essential to the foundation of moral and religious principles. It was impossible, lord Stanley said, not to ask the house and the country to consider this question in connexion with points of faith and doctrine. For instance, the great scheme of redemption, the doctrine of justification by faith, the efficacy of infant baptism, the solemn mystery of the holy eucharist. All of these they must consent to cede, as matters not to be treated of in public education, if they insisted on adopting the government scheme of instruction; for, according to that plan, Baptists, Unitarians, Socinians, Quakers, and Roman Catholics, who all differed on these points, were to be educated together.

In the year 1834, the treasury minute presented to parliament on the 7th of March, stated, "There exists throughout Great Britain the utmost anxiety that the funds provided by parliament for the purpose of education should be made generally useful; and that private cha-

city and liberality, so far from being checked, have been greatly stimulated and encouraged by reason of the public assistance afforded to the principle laid down in their minute of the 30th of August, 1833. The application now before my lords, and recommended to their favourable consideration, amounts to the sum of 31,016*l.*, whereas the sum at their disposal does not exceed 11,719*l.* Applications had been received from 236 new schools, calculated for 55,168 scholars, and local and charitable funds were tendered to the amount of 66,492*l.*" Was there, then, continued lord Stanley, any indication in 1834 that the plan laid down by lord Althorp had failed? Was any question or complaint raised, that the funds voted by parliament towards increasing the amount of education throughout the country had been unduly applied, or that those funds had passed unduly into the hand of one portion of the community at the expense of the other? He believed, in the first year, the distribution of the 20,000*l.* voted had been made in an equitable ratio between the National School Society and the British and Foreign School Society, and upon the fair principle on which the scheme was founded, namely, that the members of each should bring forward the required amount of local contributions. That state of things did not cease with the year 1834. Lord Stanley said, he held in his hand returns for the years 1834, 1835, 1836, and 1837. From these returns, it appeared that, in the year 1834, there was a grant of 20,484*l.* in aid of 48,111*l.* local contributions; in 1835, a grant of 19,368*l.* in aid of 59,619*l.*; in 1836, a grant of 21,669*l.* in aid of 71,731*l.* (the proportions all this

time of the local contributions becoming larger, for, on this subject, the most stringent rules were laid down by the treasury, in consequence of the funds at their disposal being so limited); and in 1837, a grant of 17,277*l.* was given in aid of 54,486*l.* In the four years to which he had referred, this was the result of the contribution of 78,798*l.* made by parliament; it had produced from the private funds of individuals a sum of 165,149*l.* towards the building and erection of schools; it had produced, from the same sources, 233,947*l.* for the permanent and continued education of 153,600 more scholars than were previously in a course of education in England; and it had not only brought forth other great exertions for the building of schools, but the expense of the whole 153,600 children and the continued support of the schools were charged, not on the public funds, but on the private munificence of individuals. Now, he asked the noble lord and the house, with regard to the extent of education, the amount of local interest excited, and of private beneficence displayed, what grounds existed for finding fault with and abandoning the system of the year 1834, which had worked prosperously up to that time? With respect to improvements in the mode of instruction, he was ready to maintain that nobody had put themselves so prominently forward in endeavouring to raise the qualifications of masters, or had been so anxious for the foundation of normal schools for training teachers, as had the members of the established churches of England and Scotland. He would also prove, if there had been delay in the foundation of normal or model

schools in either country, the blame rested not with those societies which had been entrusted by parliament with public funds, but with the government themselves, who had delayed the assistance which those societies required. The first grant taken for normal or model schools was in 1835; it was voted without observation at a late period of the session, but, having been taken, it had not been questioned from that time down to the present; and it was with great surprise, that, looking from the year 1835 downwards, he could find no trace of the manner in which the sum of 10,000*l.*, with which the government had been intrusted in 1835 for that purpose, had been applied. He had accordingly called for the correspondence which had taken place on this subject, from which it appeared, that no part of the 10,000*l.* voted in 1835 had been yet expended, and that the delay had arisen with the government alone, and the fault, if any, rested entirely with them. He would not now enter into the merits of the government scheme, which had been condemned by every religious body as utterly unsatisfactory for the inculcation of religious principles. Indeed it would have been impossible for any class of religionists to assent to the principles of instruction being conveyed through a number of teachers, without reference to their religious creed, and carried on under the general direction of a committee of the privy council.

Lord Stanley concluded by moving an amendment to this effect, "That an address be presented to her majesty to rescind the order in council for constituting the proposed board of privy council."

Lord Morpeth, who rose to defend
VOL. LXXXI.

the government proposition, and reply to the powerful speech of lord Stanley, said, he conceived that the speech of that noble lord went to this extent—to separate, by a specific vote of the house, the executive government of the country from all superintendence and control over the general education of the people. So far was he from agreeing with the noble lord in such a design, that it was his wish that the control exercised by the government should be even greater than it could be under any circumstances that might result from the vote which was that night to be submitted to the house. There were, however, many reasons sufficiently strong, for their practical effect, if not in abstract theory, for not pressing the interference of government any further than was at present proposed. The noble lord had laid great stress on the board being irresponsible and wholly unauthorized by parliament. Now he thought, if any board could be considered responsible to the country, one composed of removable ministers was eminently so, and in a much greater degree than any permanent body could possibly be, certainly far more so than that which originated with the noble lord himself for controlling education in the sister country of Ireland. With his feelings on the subject of national education, he should be glad to see the establishment of a permanent board, which should command the respect and confidence of the country. But he asked what means and materials were to be employed in the construction of such a board? He believed the noble lord himself had tried to bring together the National Society and the British and Foreign Society, for the purpose of forming

[L]

such a body; but a difficulty had presented itself in the outset; the national society insisted upon the church catechism being made an essential part of the course of instruction, while the British and Foreign society could not be prevailed upon to sanction any system of education in which the church catechism formed an indispensable article.

He had no high opinion of many of the doctrines of the Roman Catholics; he had his own notions respecting Unitarian tenets, and he thought that the state of opinion prevailing in this country being Protestant and Trinitarian, those who held such opinions were entitled to have the greatest proportion of public grants applied to their benefit; but, nevertheless, as long as the state thought proper to employ Roman Catholic sinews, and to finger Unitarian gold, it could not refuse to extend to those by whom it so profitted, the blessings of education.

LORD ASHLEY said, he believed the scheme propounded to the house to be hostile to the constitution, to the church, and to revealed religion itself, although he did not mean to assert that it was unconstitutional. A measure might not be unconstitutional and yet be very averse to the constitution under which we lived by giving an exaggerated and undue stretch of prerogation, in which light he regarded this committee of privy council. The preamble of the document before the house was by no means in keeping with the rest of it. That committee was not only to distribute the funds committed to its charge, but to invent and enforce a new scheme of education. They were to determine not only in what form the people were to be instructed, but

what the instruction was to be. They were also to say what form of belief was to be propagated and what was to be common to all, and what was to be considered special to the few. They were also to enact rules by which they were to afford assistance. These, said lord Ashley, were enormous powers to confer upon any body of men, and a most dangerous precedent to establish for future governments. They were only called upon to vote 30,000*l.* this year; but there was no obstacle to their being called upon next year for 1,000,000*l.* and that for the purpose of acquiring a dominion over the whole minds of the country. It was his firm belief that this plan of national education was hostile to revealed religion itself. He did not charge the members of the privy council with the unlawful intention; but speaking of the plan as it came before him, such was his conviction; and it was also that of nine-tenths of men of all ranks and sects with whom he had conversed. He begged to ask the meaning of dividing religion into general and special? Such a disjunction of the most sacred truths never before had stood as the frontispiece of a national system of education. On what was the distinction founded between general and special religion, what authority had they for it, and where did they find it? In the primitive fathers, in the founders of the reformed church, or in the Bible itself? Such a distinction was not to be found in any writer with whom he was acquainted nowhere in the holy scriptures, nor did he believe it existed in the nature of things. The discovery was reserved for the crude, and, he must say, presumptuous analogies of the committee of the privy coun-

ell. It was said that religion was to be combined with the whole matter of instruction, but he knew not whether the general or special religion was to be so combined, or whether they meant, when they used the term religion, a part, or the whole of religion. They had no right to withhold any part of the word of revelation. By this division of general and special they might include every, or exclude any religion; they might include the deist who takes the religion of nature. They might exclude every form of faith by rejecting their specialities. They separated doctrine from precept, and destroyed the sanctions of the precept by suppressing the doctrine. Lord Ashley would also enquire whether, if the children were to be taught this general religion together and in open school, and then taken asunder for special instruction in the tenets of each, the effect upon them in such cases could be beneficial.

He would imagine three children sitting side by side, one a member of the church of England, another a child of Socinian parents, the third a child born of Jewish parents, let those three children read together in school during the time of general instruction some particular portions of the Bible, suppose the 53d chapter of Isaiah, and afterwards be taken away for the purpose of special instruction by their own ministers, what would be the effect on the minds of those three children? The child of the church of England would learn the great necessary and saving truths in which nine-tenths of the community agree. The Socinian child would be taught that what the church of England child believed was gross error, and that the person to whom the pro-

phesy referred was in fact no better than a mere man. But the Jewish child was taught to believe that the whole thing from first to last was an absolute imposition. It was impossible these children could think any belief established or certain. The result would be universal scepticism, or a universal belief that there was nothing necessary and nothing certain.

There were a great many objections to the reading of the Roman Catholic version of the Bible, which he deemed it unnecessary to mention on the present occasion; but the very circumstance of having conflicting versions of the Bible in the schools, as for instance the Unitarian version, where parts were struck out as apocryphal which we deemed authentic, and the Roman Catholic where parts were introduced as authentic which we deemed apocryphal, must, of necessity, lead to the most injurious consequences.

The church of England was charged with bigotry, exclusiveness and monopoly, because she resisted the scheme proposed by ministers. Why was she to be charged with bigotry when, if she accepted that scheme she must surrender her own principles? Why was she to be charged with monopoly when she had asked for no grant whatever for herself? Why was she to be charged with exclusiveness when she had not protested against the distribution of the 20,000*l.* annually for the purposes of education? That sum was not given to her friends exclusively, she had assented that other sects should receive some of the contributions of the state, and in so doing she had abated her other principles. But was she herself averse to the promotion of educa-

[L 2]

tion? Quite the reverse, as the last report of the National Society of London proved most satisfactorily. In that report would be found the following statement:—

“The society has from the grants of its own funds to the amount of 120,659*l.* directly aided in the erection of schools in 1,553 places to the extent of two or three schools each in most of the parishes so assisted, and trained at its central school in London 2,695 teachers; the number of the schools actually united to the society is at this time 6,778, which contain 597,911 children; whilst the total number supported wholly or in part by benevolent individuals for the instruction of the poor in the same principles, amounts, (as ascertained by the last inquiry made by the National Society in 1837) to schools 17,341; scholars 1,003,087.”

It must be borne in mind that the sums granted by the National Society from its own funds were exclusive of the government grants, so that the whole amount of grants which have been distributed through the National Society for building school houses alone in twenty-eight years since its establishment amounts to 190,781*l.*

Mr. Hawes then rose and said, he rejoiced that this great question had come to this issue, for the vital principle of religious liberty was at stake, and now it was that all throughout the country who

were determined to abide by it should give a hearty and steady support to the proposition of government. That great principle had been recognized by the toleration act; it had more recently been enforced in the repeal of the Test and Corporation Acts, and still more recently by the passing of the Catholic Relief Bill.

Fortunately they had now come to a period when the crown and the people were on the side of the principle that the rights of conscience should be respected, and he did not fear the result if they only gave time for further discussion. He found upon all sides education regarded as a subject of the first importance. To him, then, it was rather melancholy to look at the tables of crime in this country and to find little advance made in education, and scarce any diminution of offences. When he turned to the criminal returns made to the home office, he found there was but little difference in the degrees of instruction of persons proceeded against last year, as compared with the preceding years, and in point of fact, when they came to an analysis, it appeared that the number of persons convicted for crimes who were so imperfectly instructed, that they might fairly be called ignorant, formed three-fourths of the whole number of criminals. In the amount of criminals the following were the

Centesimal proportions of persons of the different degrees of
Instruction.

	1838.	1837.	1836.
Unable to read and write	34.40	35.85	33.52
Able to read and write imperfectly	53.41	52.08	52.33
Able to read and write well	9.77	9.46	10.56
Instruction superior to reading and writing well	0.34	0.43	0.91
Instruction could not be ascertained	2.08	2.18	2.68

Centesimal proportion of persons of different ages.

		1838.	1837.	1836.
Aged 12 years and under . . .		1·58	1·52	1·84
16 years and above 12 . . .		9·92	9·72	9·71
22 " 16 . . .		29·13	29·23	29·03
30 " 21 . . .		31·24	31·74	31·42
40 " 30 . . .		14·75	14·56	14·43
50 " 40 . . .		7·02	6·65	6·76
60 " 50 . . .		3·00	3·24	3·33
	Above 60 years	1·58	1·55	1·40
Unknown		1·78	1·79	2·08

The noble lord (Ashley) said, that rather than the state should not teach the truth, it should teach nothing at all. He should like to know by what high authority the noble lord was to ascertain the truth. He should like to know how it became any member of a protestant church to say, "I alone am in possession of the truth;" he could quite understand such language proceeding from the pope, but not from an English protestant, whose faith was founded on the Bible and connected with the right of private judgement.

Lord Francis Egerton said he certainly perceived a very important difference between the plan contained in the vague minute which had been laid on the table, and a power in the treasury to supply a portion of the public funds to two societies, whose rules, principles, and modes of action were understood and printed, and published to the country. He interfered in this discussion with reluctance, but had felt it necessary to address the house, from the circumstance of his having had upwards of fifty petitions against the scheme intrusted to him, the bulk of which were from Wesleyan methodists. Now with reference to this and other proofs of the unanimity of that great body, he must say, he was

almost inclined to attribute more weight and authority on the question to this expression of opinion, than even to that of the members of the establishment to which he had the happiness to belong.

After a few observations from Mr. Slaney, in support of the ministerial grant, and from sir Walter James in opposition to it, the house adjourned to the 19th of June, when the debate was resumed by Mr. Wyse, the member for Waterford, and chairman of the central society of education, who said he had himself in 1831 proposed a plan of education for Ireland, and on his doing so, lord Stanley had opposed the proposition. It was commonly boasted, that this was the first country in Europe in point of civilization, but he (Mr. Wyse) was astonished to see how little had been done for the diffusion of general education. The defective state of England in this respect, had been productive of the greatest evils—felt not only in our moral and social relations, but also in our physical condition—in matters of every day life in the elements of science and in the pursuits of industry. For instance, it was stated in the most able agricultural reports, that by the injudicious use of lime many thousand acres in many parts of the

kingdom have been reduced to a state of almost total infertility. Again, with respect to manure, Mr. Malcolm complains, that in no instance has he been able to find anything like system in the mechanical arrangement of the component parts of farm-yard mixings, which he generally found put together, without any regard to rule. A great ignorance of the principles of mechanics was also constantly manifested; and with regard to planting, Mr. Falkner says,—“Thousands of acres of woods and plantations were utterly ruined from the want of knowledge of the process of vegetation.” The deficiency of knowledge that prevailed in the application of the elements of art to manufactures was strikingly obvious, when our productions in several branches were contrasted with those of the schools of Lyons and Berlin. This was peculiarly obvious in the printing of cottons; and the late sir Robert Peel attributed many of our great manufacturing losses to the inferiority of our workmen's taste to those of the continent. The ignorance of our population was not less striking as regarded the social condition of the lower classes. This was peculiarly obvious in their places of residence in the districts of Manchester and its neighbourhood. He found from a report laid before the British Association of Science, that the proportion of the population of Manchester that lived in the cellars was $11\frac{1}{4}$ per cent.; of Salford, 8 per cent.; of Bury, $3\frac{1}{2}$ per cent.; of Ashton, $1\frac{1}{4}$ per cent.; of Staley-bridge, $1\frac{1}{4}$ per cent.; of Dunkerfield, $1\frac{1}{4}$ per cent.; and of Liverpool, 15 per cent. Taking the whole working population of that large town, 20 per cent. lived in

cellars, or in round numbers 31,000 persons so resided, out of a population of 230,000. Again, the evils of the want of education was manifested by the moral and religious condition of the people. It was stated at a late meeting of the British and Foreign School Society, at Cheltenham, by Mr. St. Clair, a deputy-lieutenant of the county of Gloucester, “That two-thirds of the youth in Gloucester gaol were the most ignorant of society—nine out of every ten could not read a single word.” He referred to the state of those parishes in which the ignorant impostor Thom had obtained so many followers—namely, Herne-hill, Dunkirk, and Boughton, whose inhabitants were induced to believe that Thom was Jesus Christ, and that disobedience to his mandates would entail on them eternal damnation. This was in the midst of a beautiful country, in which there was no hostility to the poor laws—where the wages were good and the poor rates comparatively low. “At Herne-hill there were fifty-one families, in which there were forty-five above the age of fourteen; of them eleven could read and write, twenty-one could do so imperfectly, and the remainder not at all. In Dunkirk there were 113 children, ten could read and write, thirteen could do so a little, and the remainder not at all. In Boughton there were 119 children under the age of fourteen, thirty-two attended school. There was a similar defect of education throughout the country. In Manchester, in 1834 and 1835, there were 932 schools and 56,189 scholars, being twenty-two per cent. of the population, and of these 29,529 received only Sunday tuition. In Liverpool, in the same year, there were

766 schools, in which were 33,183 scholars, being fourteen per cent. of the population, and of these 3,719 received only Sunday tuition. In Salford there were 211 schools and 12,833 scholars, being twenty-three 48·100 per cent. of the population, and of these 6,344 received only Sunday-school tuition. In York there were 150 schools and 5,591 scholars, making nineteen 97·100 per cent. of the population, of these 842 received only Sunday-school instruction. In Bury there were seventy-nine schools and 5,727 scholars, making twenty-eight 63·100 per cent. of the population; of these 3,102 attended Sunday-schools only. At Newcastle, forty-nine out of every hundred of the youthful population, between the ages of five and fifteen, received no instruction whatever. At Gateshead, 12½ of the juvenile population attended schools. In seventeen of the chief towns of this country, the average of those who received daily instruction was only one in twelve. In Manchester, the proportion was only one in thirty-five. The result was, there were 3,000,000 children in England to be supplied with instruction, half of whom were in a state of complete ignorance. The population of children under fifteen was about 4,000,000, deducting those under two years (about 500,000), there were 3,500,000 to attend school, and from this 500,000 should be deducted as receiving private instruction. Taking the returns in other countries, it appeared that in eleven out of the United States the proportion of educated persons was one out of five; in seven other states, one out of six; in three others, one out of seven; in others, one out of ten; while in England and Scot-

land, the proportion was one out of eleven; in Lombardy, one in twelve; in France, one in thirteen.

Mr. Charles Buller maintained, in the first place, that consigning the business of education to the established church was only an uncandid way of throwing it aside altogether, as the church, not being possessed of the machinery for dispensing education, it would be left to the voluntary association of its members. What part of the funds of the church, he would ask, were allocated to education? what portion of the hierarchy particularly devoted themselves to that object? and what portion of church patronage was given to those who did so? Even those funds and dignities, which at the time of the reformation were set apart for the education of the people, had been perverted from their original purpose and turned into mere sinecures. The system of leaving education in the hands of the established church had had a long trial, and its effects were visible in the perverted system carried on in Sunday and charity schools, in those wide and populous districts left totally destitute of education. What were the merits of that instruction in religion and morality which had afflicted our country with more thieves and prostitutes than any other in the world. It would be time enough to entrust the education of the people to the clergy of the established church when they showed some earnest of its zeal in the cause, by restoring to their original destination the funds which had formerly been devoted to the purpose of education, and when some portion of its honours were conferred upon those who humbly devoted themselves to the task of instructing the people. Mr. Bul-

ler more particularly objected to such a plan because liberty of conscience having been more fully vindicated in this country than in any other, it was consequently more divided into sects. If an offer of education was made through the agency of the established church alone, the dissenters would refuse to accept it—this might appear bigotry on their part, but such was the feeling throughout the country, and ministers ought not to overlook it in establishing a system of education; and the effect would be, that all those would be debarred from every kind of education who refused to accept it on condition of being connected with the established church. It was amongst these that the care of education was most required, not only for their own sakes, but for that of all classes of the community. He wished to call the attention of the house to this view of the question, which they could not rightly appreciate as long as they regarded education as the mere privilege of the individual, as a boon conferred by charity, and dealt out by a bountiful or niggard hand as a premium on conformity to the established church. Education, besides being the highest and most valuable of a freeman's blessings, was also the first precaution of a wise government; it was a precaution above all others to be taken by the possessors of property with respect to the mass of the people in a country in which the singularly artificial state of society, and the great inequality of social conditions, exposed us to such constant perils from the discontent and ignorance of the uninstructed poor.

Mr. D'Israeli, resuming the debate the following evening, deprecated the adoption of the govern-

ment plan, and insisted that by their system of centralization all would be thrown into the same mint, all would come out with the same impress and superscription. This was not the same sort of education which had been so nobly advocated and supported by our forefathers. Who, he would ask, had built schools and endowed colleges? By whom likewise had their universities been built? They had not sprung from a system of central organization. No, other principles had actuated the men of former times, and he would call upon them to look abroad on England and witness the result.

Sir George Staunton, who usually supported the ministers, said, he gave her majesty's government every credit for coming forward with a plan of national education, but still the plan proposed differed in a great extent from the mode of education now pursued by the established church. It placed the superintendency in a lay and political board, upon which no member of the church was to sit, and he did not think conformists and non-conformists could be safely educated together. Approving generally, as he did, of the policy of her majesty's government, and being ready on political questions to surrender his private feelings, yet, on a question of religion, he could not consent to any compromise; and, therefore, would be obliged to vote in favour of the amendment.

Mr. Gibson on the other hand, who had been returned to parliament as a conservative, but on this, as on several other occasions, voted with the government, was of opinion that the schoolmasters should in all matters relating to the secular education of the children, be quite independent of all church in-

fluence, even though the children should be those of churchmen. In these days when so many sects were springing up, even in the church itself, the office of schoolmaster would be liable to be interfered with in the most unpleasant manner by the clergyman of the parish. The doctrine which lord Stanley had supported sounded very like that of the papal one—infallibility, which if once set up as the guide for the people of England, it was doubtful if they would not prefer the infallibility of Rome to that of Oxford; the latter was of comparatively recent date, while that of Rome had at least prescription in its favour. He did not approve the plan of mixing up secular with religious instruction. Religion should be taught by those who devoted themselves exclusively to that purpose. He had seen the effects of a contrary system and was satisfied it could never answer the expectations entertained on the subject.

Sir Robert Inglis began by saying a few words with regard to what fell from the hon. member for Ipswich, whom he remarked he did not see in his usual place, but in one from which the speech he had made would have come with more propriety (Mr. Gibson had crossed over and was sitting on the ministerial side of the house.) It was from that quarter that those loud and long cheers had proceeded, with which the hon. member had been greeted, cheers, which must have been very gratifying, especially when he saw how vehement a part was taken in them by the hon. and learned member for Dublin. Sir Robert said, the ministerial measure was one upon which the university of Oxford looked with just apprehension.

Although the plan had been technically changed, the evils to which the objections applied had not been removed. The hon. member for Ipswich had said, there was no reason for withholding our confidence from the individual members of the privy council of whom the board at present consisted. The objection was not to individuals, but to placing in the hands of laymen, those powers which ought to be confided only in the church through its ministers. He had never confounded the church with its ministers, but had merely observed, that from time immemorial, both in Roman Catholic times and since the Reformation, education had been connected with religion, and if the Roman Catholic religion were ever again in the ascendant, the clergy of that church would be the last in the world to relinquish the office of educating the people.

Mr. O'Connell then rose. They had tried, he said, the efficacy of the exclusive principle in order to prevent the advance of catholicity, nevertheless catholics multiplied in Ireland, and even increased in England. The advocates of exclusion did not indeed burn, they did not introduce Spanish law into this country, but they acted upon principles fatal in politics, and unsound in religion. Properly speaking, such principles were anti-religious, for though hypocrites might be made by force, converts could be made only by persuasion. By the minute of the first of April, it appeared to have been the determination of the government to establish normal schools, and to appoint chaplains for instructing the children born in the established church in the principles of their religion, who were to be paid at the expense of the nation at large—by all means,

said Mr. O'Connell, let the children of the established church receive religious instruction, but let the expenses be paid out of the ample possessions of the established church, and not out of the funds of the nation at large. The proposed arrangement was one far more favourable to the established church than it had any reason to expect—it was too much to exact of the Roman Catholics and dissenters to pay for the religious instruction of a church so richly endowed—it would be giving it a decided advantage, and one wholly inconsistent with fair play. But he had acceded even to that, so highly important did he deem it that the people should be educated. It was hoped at the normal schools that the education of the pupils might be carried on in common—it was considered that youth should not be separated in the business of education, that they might be reconciled to each other's presence in their early days and meet on other points than those of repulsion. "Sacred heaven!" exclaimed the hon. and learned member, "why might they not meet upon other points than those of difference and hostility!" Hon. gentlemen opposite had fallen greatly in love with the Wesleyan methodists; they might be excellent people in private life, but he denied they had distinguished themselves in any career of political utility. The first great political movement of their founder, John Wesley, was writing the address of the Protestant Association in 1780, which ended in a riot, in the burning of prisons, the destruction of property and life. That was the first fact in the history of methodism. He challenged any gentleman of that persuasion to point to one single

instance in their political history since, which showed them to be the friends of civil and religious liberty. Why then exclaim so loudly in their favour?—because they had joined the "No popery" cry! But the ground on which they stood was treacherous; the first sentence in their petition was, "We most decidedly object to the proposed scheme on the strong grounds of conscience, and of our right to full religious liberty." A most excellent principle, but what they would have others do they should themselves exemplify. In the next sentence of their petition, they objected to the educational scheme, because versions of the scriptures would be used which they characterised as "notoriously corrupt." They were bad biblical scholars, as he would show from a high authority. On the 21st of May 1838, a reverend divine of the established church of Scotland, a church infinitely more opposed to the Roman Catholic church than the established church of England, Dr. Chalmers, a man of the first rate talents and information, burning with as ardent a dislike of popery as any of the Wesleyan methodists, said, in answer to question 3717. "I beg leave to say, that the difference between the authorised version and the Douay version, is not so great as to make it a thing of practical importance which of them should be used."

This speech called up Mr. Gladstone, who had recently put forth an able work on the connection between church and state. Allusion to this publication had been made by lord Morpeth and Mr. Buller in the course of the debate, but Mr. Gladstone said, he was sure the noble lord in the midst of his numerous and onerous avoca-

tions, had never been able to spare time to read it. He would not flinch from a word he had uttered or written upon religious topics; he claimed the privilege of contrasting his principles and trying their results in comparison with those professed by the noble lord, and of ascertaining the effects of both on the institutions of the country, so far as they operated upon the established church in England, Scotland, and in Ireland. Last night the hon. Member for Liskeard had spoken of him, as though he had interpreted the right of private judgment, to mean nothing else than conformity to the doctrines of the church of England, and had broadly stated, that his doctrines if pushed a step further led, of necessity, to persecution. Mr. Gladstone would only say in reply, that even if this account of the tendency of his doctrines were correct, he was equally justified in asserting that Mr. C. Buller's own doctrines destroyed the means of discerning between truth and falsehood, and led, if carried out into their next stage, to nothing less than national infidelity. With respect to the hon. and learned member for Dublin, who had spoken so much of his fondness for statistics, the use which he had made of them reminded him of an observation made by the late Mr. Canning, to this effect. He had a great aversion to hear of a fact in debate, but what he most distrusted was a figure. The hon. and learned member for Dublin had stated that there were 97,000 churches in England before the reformation, a statement depending upon historical research, and which, if known to the hon. member for Dublin was he believed unknown to every other antiquary in the kingdom.

Mr. O'Connell had also spoken of the existence of 9,000,000 of dissenters in the United Kingdom. A letter which had been published in the *Morning Chronicle* of November, 1837, by Mr. Dunn, secretary to the British and Foreign Society, made the entire number of protestant dissenters in England, amount to no more than 2,500,000 or it might be 3,000,000 in our whole population of 15,000,000. He had also said, that it was ungracious in the church of England to demand money of the public for the purposes of education, when it was itself in possession of 8,000,000*l.* of revenue. Now, the documents laid upon the table of the House, proved that the revenues of the church of England did not amount to more than 3,000,000*l.* and if another 510,000*l.* were allowed for the revenues of the endowed schools and universities, it would appear that the hon. and learned member had assumed to himself the privilege of more than doubling the amount of property in the possession of the church. Mr. O'Connell had also done injustice to the Wesleyan methodists, having taunted them as the most persevering enemies of civil and religious liberty. This was indeed an unjust accusation after their long years of exertion to bring about the abolition of negro slavery. Lord Morpeth had declared, as long as the state continued to finger Unitarian gold, it cannot refuse to extend to those by whom it so profits the blessings of education, and assist those sects, which must otherwise remain in intellectual darkness. Now if the state was to be regarded as having no other function than that of representing the mere will of the people as to religious tenets, he admitted the

truth of this principle, but not if they were to hold that the state was capable of duties, and that the state could have a conscience.

He did not wish to say anything offensive, it was not his habit to revile religion under whatever form it was presented to him, but what ground was there for confining the noble lord's reasoning to christianity. Mr. Gladstone then read to the house a passage from a petition lately presented from the protestant dissenters:—"That your petitioners feel the deepest gratitude for the expression of her majesty's most gracious wish that the youth of this country should be religiously brought up, and the rights of conscience respected, while they earnestly hope, that the education of the people, Jewish and Christian, will be sedulously connected with a due regard to the holy scriptures." How was the education of the Jewish people, who considered the New Testament an imposture, to be sedulously connected, with a due regard to the holy scriptures, which consisted of the Old and the New Testament? To force the Jewish children to read the latter, would be directly contrary to the principles of hon. gentlemen opposite. He wished to see no child forced to do so, but he protested against paying from the money of the state a set of men whose business would be to inculcate erroneous doctrines.

The Chancellor of the Exchequer said, he considered Mr. Gladstone's principles to be inconsistent with the true theory of the constitution of England, and opposed to all civil and religious liberty. Mr. Gladstone had been for some short time colonial under secretary of state, and Mr. S. Rice begged to

call his attention to the principle that prevailed in the colonies, and would ask, how this rule of the state conscience was applied in practice there. The paper to which he referred, showed an account of the church establishment in the colonies. The return was made under four heads, and showed that whilst parliament supported most largely the church of England, it also supported largely the church of Scotland, and in some of the colonies, it supported the Dutch church likewise, and in many of them it supported the church of Rome. The hon. gentleman had said, that truth was single, all that was not truth was error. Which of those many colonial religions was the true one? They could not all be true according to the hon. gentleman, and yet they were all supported by the state. He appealed from the factitious conscience of the state to the real conscience and hearts of men, and he would ask whether we should be justified on any hypothesis however ingenious, in leaving the queen's subjects in distant lands, unassisted by religious instruction according to their respective faith. The chancellor of the exchequer then commented severely on the mode in which petitions to the house of commons had been got up. There were, he said, 242 petitions, with 26,063 signatures affixed to them, against any scheme for education which should not be placed exclusively in the hands of the established church, but he spoke in strong terms of the variety of base and disgraceful delusions which he said had been practised for the purpose of procuring these petitions.

Mr. Spring Rice was followed by sir James Graham, who said he

had waited in vain to hear from the right hon. gentleman an answer to the question put by the member for Newark—How, if the government could consistently afford aid from the public purse for the education of the youth of the country in dissenting principles, it could refuse similar aid to the instruction of the adult population? If aid was to be granted to dissenting teachers, how could endowments be refused to dissenting and socinian chapels. The chancellor of the exchequer had asked, how he justified the vote to Maynooth? Why, answered sir James, on the ground of a contract at the time of the union between the two countries, as in the larger number of the colonies to which the right hon. gentleman had alluded, the sums for the support of religion were defrayed out of the colonial fund, but he admitted those cases which the hon. gentleman had cited did trench upon the principle which he maintained. It was declared to be the duty of the state to uphold true religion, then the question was put what did that imply? What in fact was true religion or “the truth?” No one sect had the right to assume the knowledge of the truth in a manner offensive to the other portions of the community. Man was not responsible to his fellow man, but to his Creator alone, for the nature of his religious opinions. Without detailing to the house what were the principles of an established religion, it was enough to remark those principles were adverse to the admission of the plan of her majesty’s government, which admitted an equality of right, for state endowments, to all religious creeds. If that doctrine was admitted, a paramount state religion was at an

end. Now, in this country, the state had chosen the established church to represent the government in religion, but in selecting that particular creed, the state still permitted each individual to be guided in matters of belief entirely by the dictates of his own conscience.

Lord John Russell said, he thought the right hon. baronet who had just sat down had but incompletely answered the argument of the chancellor of the exchequer, who had said truly, that excitement against the plan had been produced by not stating its principles fairly. He asked the hon. gentlemen opposite to state the truth openly to the country, that the government plan was opposed on the distinct ground, that no system of education was hereafter to be supported by the state unless it was conducted under the exclusive control of the clergy. Teachers of the established church should be maintained throughout the country, but he did not consider those teachers should have the entire control of the money appropriated by the state for education. The noble lord then read extracts from the speech he had made in February, pointing out the difficulties with which the government had to contend, and his own views relative to normal schools. The difficulty, he said, of providing a system agreeable to different religious sects had been overcome, not only in the schools of the British and Foreign School society, to which he had for many years belonged, and whose principles he adopted, but by many of the established church. In these schools, the scriptures were read on week-days, and the catechism was reserved for Sundays, so that dissenters might send their children to their own places of instruction

on the Sabbath. It had been stated, in proof that the government scheme of education was irregular, that any thing might be taught in the schools which was not of the doctrine of the church of England, or of some particular sect. Was there no religious instruction, except that which was confined to the distinctions between different bodies and sects of christians? It was not sufficient that 690,000 persons were educated in the National schools, and that nearly a million attended the Sunday schools. Various reports, both to government and parliament, proved that the quality of the education was very defective. Lord John then read a passage from the report of the chaplain of the gaol at Lancaster, which stated that, in the year 1838, "516 prisoners were quite ignorant of the simplest truths, 995 were capable of repeating the Lord's prayer, 37 prisoners were occasional readers of the Bible, 7 were familiar with the holy scriptures, and conversant with the principles of religion. Of the whole 1,129 persons, probably not more than twenty or thirty had habitually attended any place of divine worship." The noble lord gave another extract from a report, which he had received from a clergyman, whom he had appointed to the situation of chaplain to the prison for juvenile offenders at Parkhurst, in which report he said: "Your lordship will perceive that although 58 prisoners can in some degree read, 83 repeat some or all of the church catechism, and 43 possess some knowledge of the holy scriptures, only 29 (exactly half the number of readers) can give even a little account of the meaning of words or sounds in use. Another feature

of the Parkhurst prisoners' moral condition is very remarkable, namely, that a very large proportion have received instruction in the various schools with which our country abounds. A digest of this portion of the general table will show, that out of 103 lads, 95 have attended schools, 70 of whom have been day-scholars for terms longer than a year, and of the 51 prisoners with whom the prison opened, two only had never been at school." The plan which was proposed by government was not a new scheme of national education in the country; and so far from its being out of the control of parliament, it would annually be brought under its view, and, in future, the important subject of education would receive that attention and care on the part of the state from which hitherto it had been excluded. I am not, concluded the noble lord, to be deterred by the taunt of the hon. member for Newark, who expressed his wonder, that having been defeated in our former scheme, we should attempt another, equally objectionable to dissenters and churchmen. In a former instance, although my first attempts were thwarted and defeated, I ultimately succeeded in striking off from the dissenters the degrading fetters of the test and corporation acts. I am quite prepared for opposition, and expect that when plans of this kind are first proposed, they will be misunderstood and misrepresented, and that even the "no popery" cry will be raised afresh, not, I fear, for the last time. Let the hon. member for Newark take pride in such victories; but I do not believe he will succeed in re-imposing the fetters which have been struck off. I am fully convinced the great cause of general education, not only

of the members of the church of England, but of the whole community, will eventually triumph—that the happiness of the people will be secured—that the degrading pictures which have been drawn of the population in 1839 will come to be regarded with incredulity, and it will seem impossible that they could ever have been true representations of the condition of the people of England.

Sir Robert Peel said, he objected to the scheme of the government. In the first place, he deprecated the course adopted of calling on the house to decide so important a question—laying the foundation of a system of national education by a single vote. The original proposition of the noble lord was, that five of her majesty's servants should form a committee for the consideration of all matters affecting the education of the people. Had such a scheme been proposed by him in 1835, what would have been said to it by the dissenting bodies of this country? Could it be a matter of surprise that members of the establishment felt similar alarm at the proposal now made? If her majesty's ministers could appeal to the vote for Irish education, in justification of their present proceedings, and called upon the house to assent to this scheme in consequence of the concessions already made, he could foresee that, three years hence, they might say, the scheme now proposed and assented to was only laying a foundation for a more general one, and those who permitted that foundation to be laid had no right to object to its extension. The proposed committee would be in fact a committee of the executive government, not of the privy council, as his noble friend had called it. The board

was to be constituted exclusively of members of the government, and, in order to rescue themselves from the danger of dismissal by the house, they might, for the sake of so important a public object, make great concessions in the matter of education. Ministers should remember, and the dissenters also, that if the principle now established were good for the present government, it would equally apply to their successors, should a change of government take place. Supposing the archbishop of Canterbury and the bishop of London, both members of the privy council, were then to be made members of the committee of privy council, what objection could they urge against it? Sir Robert Peel then read the opinions of two grave authorities—the noble lord the secretary for the home department, and the right hon. gent. the chancellor of the exchequer—delivered last year on the subject of appointing a board of education:—"With this difference of opinion on the subject, he did not see, until there was more likelihood of agreement amongst the leading people in favour of general education in this country, that it would be a good plan to establish a general commission by the government, because whatever board might be constituted, would create jealousy on the part of those opposed to them." The other quotation was as follows:—"That the interference of government, by appointing a committee of education in the present state of the question, would create great jealousy among all parties, and be injurious to the purposes of education." Particular reference had been made to the state of education in the United States (especially in New York and Massachusetts) and in Prussia.

The case of this last country had indeed been abandoned. It appeared that the government of that country had relinquished the attempt of uniting children in a system of secular tuition only, and giving them separate religious instruction upon such creeds as they might be disposed to follow. The secretary to the Massachusetts board of education states, in his second annual report, published at Boston and bearing date January 14th, 1839, "In my report of last year, I exposed the alarming deficiency of moral and religious instruction then existing in our schools. That deficiency in regard to religious instruction could only be explained by supposing that school committees, whose duty it is to prescribe school-books, had not found any at once expository of the doctrines of revealed religion, and also free from such advocacy of the tenets of particular sects of christians, as brought them within the scope of the legal prohibition; and hence they felt obliged to exclude books which, but for their denominational views, they would have been glad to introduce." If, continued sir Robert Peel, government were under an obligation to teach the children of dissenters, on the grounds that they fought with Roman Catholic sinews and supported their system with unitarian gold, why were they not bound to provide them the means of religious worship in accordance with their several creeds? Where did they propose to draw the line? "Unless in your scheme," concluded the hon. baronet, "you limit religious education to the mere reading the bible, you cannot respect the religious scruples of others; and I can see no means of escape from the dangers and

difficulties, by which the question is beset, but, by her majesty's government consenting to move the order in council, I object to the plan of the noble lord, first, that if the feeling of the ordinary were in favour of such a board (and the reverse is the case), it should not be appointed in the manner proposed—by a single vote of this house. I object to a board of education, being formed exclusively of her majesty's ministers, and in reference especially to the children of members of the established church, that there should be an entire exclusion of the ecclesiastical authorities, who are properly intrusted with the religious education of the community. Lastly, I object, because petitions have been presented against the scheme, unequalled both in the number and in the disinterestedness of those who presented them; and because, if the scheme were carried by a small and scanty majority, a temporary success, so far from advancing the cause of sound religious instruction, and allaying discord and animosities, would be but the commencement of a new religious struggle of the worst nature, and in the very worst arena in which, in this country, such a struggle can be carried on."

The house then divided on the original question that the order of the day for a committee of supply be read—ayes 280; noes 275; majority 5.

In accordance with this vote of the house, lord John Russell moved, on the 24th of June, that the house resolve itself into a committee of supply; and, in doing so, he recapitulated many of the arguments which had previously been put forth by himself and other members. After which, the question was put

that 30,000^l. be granted by her majesty for public education in Great Britain, for the year 1839.

Lord Mahon said, he felt it his duty to meet the motion of the noble lord with a direct negative ; he considered it indispensable that intellectual enlightenment should go hand in hand with religious instruction, and if they did not combine the two, they would do worse than if they left the people altogether uneducated. He would read to the house in connexion with this subject some important statistics by Mr. Guerry, who stated, that "in the department of Finisterre only 14 in 100, and in Morbihan only 15 in 100, of the male adult population could read and write. In three of the departments forming the ancient provinces of Berry, the proportion was only 13 in 100. These were among the departments in which crimes against the person were most rare ; crimes against property were also less numerous. In Finisterre, only one person out of 29,000 on an average, was convicted of any crime. Against the person in La Creuse, only one in 37,000. On the other hand, in the department du Doubs, on the frontiers of Switzerland, which stood as second on the list of educated departments, where no less than 73 in 100 could read and write, one out of 11,000 on an average, was convicted of crime. In the department du Haut Rhin, in like manner, 71 out of every 100 could read and write, but one out of every 7,000 was convicted of crime." Lord Mahon objected to the distinction of religion into special and general, and commented severely and at some length on the evidence of Dr. Wiseman and Dr. Bowring before the committee, and concluded by saying, that if his

VOL. LXXXI.

views on education seemed narrow-minded and illiberal, he had the satisfaction of remembering, they were those of Mr. Wilberforce, lord Somers, and Locke, and he would characterize the system now proposed in a few expressive words which a greater man than any he had yet quoted, the prince of modern philosophers, lord Bacon himself had used ; "Contrariwise, certain Laodiceans and lukewarm persons think they may accommodate points of religion by middle ways and taking part of both, and witty reconcilements, as if they could make an arbitrement between God and man. For truth and falsehood in such things, are like the iron and clay in the toes of Nebuchadnezzar's image, they may cleave, but they will not incorporate."

The debate was afterwards taken up by Mr. Baines, lord Teignmouth, Mr. Litton, and Mr. Cresswell, who went over much the same ground as the speakers on the former occasion had done. Mr. Sheil made a forcible address to the house in reply to a charge made against the government by sir George Clerk, who stated that a catholic priest had applied to the chancellor of the exchequer for a grant of money for a school in Scotland, and that the money had been refused ; why, asked Mr. Sheil, but because the money would have been applied to the purposes of exclusive instruction in the tenets of the Catholic church ? Did not this prove, that the government does not mean that any part of the fund should be applied to a school attached exclusively to one church, and did it not repel the charge of the hon. gentlemen opposite, grounded on their own misconception of the intention of the ministers ? "Why are you,"

[M]

continued Mr. Sheil, "for ever crying out in reference to popery, that your church is in danger, and giving way to the most fantastic fears? What in the world makes you so much afraid? Why do you not, as you resemble us in so many other regards, in our fearlessness also follow our examples? It was in reference to our church, that your famous Dryden exclaimed,

"Without unspotted, innocent within,
She feared no danger, for she knew
no sin."

You have nothing to fear, armed as you are, I presume, in innocence, from any cause, much less from the education of the unhappy popish poor. Your church, your Anglican church, (I can scarce call it protestant,) is incorporated with the state, supported by the interests of the higher orders, and by the faith of the humbler classes. "In the midst of courts and parliament it lifts its mitred head." It possesses vast revenues, it rules over the two most famous universities in the world, it presides over the great patrician seminaries of the land, it has retained all the pomp, pride, and glorious circumstances of the establishment of which it is a perpetuation—archbishops—bishops—deans—cathedrals—chapters—golden stalls. It is distinguished by a prelacy eminent for learning, and what is more important, distinguished by the activity, the energy, and spirit of organised confederacy amongst the parochial clergy. Such is your establishment, and can you bring yourself to believe that such a fabric, based on the national belief, and towering amongst aristocratic sustainment, can be prostrated on the rock of truth on which you believe it to be raised—not by foreign

invasion—not by intestine commotion—not by a great moral concession, but by a discharge of Douay testaments and popish missals, from the hands of a set of shoeless, shirtless popish paupers, gathered under the command of the privy council from the lanes of Liverpool, the alleys of Manchester and of Salford, or the receptacles of St. Giles's? This age of apprehension for your church is idle, and would be ridiculous, but for the fatal results which it produces, and the constant injustice which it works. Take for an example the noble member for Dorset, who is so remarkable for the benevolent concern he feels for the poor factory children. It does credit to his heart, that he should feel so deep a sympathy for those unfortunate beings, who in the spring of life, in the season when, if ever, joy should bud out of the heart, are immured in those dismal factories dedicated to the insatiable gains of gain. How often and how eloquently had the noble lord expatiated on the moral destitution to which these poor children were reduced. But, alas! what a contrast he presents the instant the prerogatives of the church are touched! his sensibility at once evaporates—to the imaginary hazards of the establishment, he immolates the interests of thousands and thousands of helpless beings, and refuses to stretch forth his hand to raise them from the depths of ignorance and depravity in which they are immersed! Has the noble lord ever been in that part of this vast metropolis in which Irish emigration is chiefly deposited? Has he ever traversed that melancholy district, in which at every step the eye, the ear, the heart—every physical and moral sense is shocked?

Has he ever looked down into those recesses in which hordes of miserable children are accumulated in heaps of wretchedness? or, has he ever looked up to the dwellings which swarm with diseased vitality, and through sashless windows seen the face of squalid, vacant, emaciated childhood, staring with the glare of ignorance and misery upon him? If he were to observe, and become familiar with such spectacles, his ever righteous habits of mind would give way, his natural emotions get the better of his prejudices, and he would feel that true religion, which is identified with charity and with mercy, imperatively required on the part of the legislature, that some effort should be made for the instruction of those unfortunate creatures.

"I have heard much," concluded Mr. Stoeil, in the course of this discussion, of the dogmas of theology, I do not profess to be conversant with these, but I sometimes read the Bible, in every page of which the lessons of mercy are so admirably inculcated, and it strikes me if there be a passage in which the character of our Saviour is described in a peculiarly amiable light, it is that in which he is represented as desiring his disciples not to forbid little children to come unto him. I think, I cannot help thinking, that if among the little group on whose heads he was invoked to lay his hands there had been the child of a Sadducee or a Samaritan, the God of mercy and of love would not have put the little schismatic aside. Do not imitate the example of those by whom the children were rebuked; suffer them to approach him, let them have access to the sources of pure morality, and of that truth which is common to all christians. Do not close the

avenues to that knowledge which leads to happiness when "time shall be no more," and instead of engaging in acrimonious contentions about ecclesiastical prerogatives and pretensions, let us act on the precept contained in the divine injunction, "Suffer little children to come unto me, and forbid them not, for of such is the kingdom of heaven."

Mr. Goulburn said, he was deeply sensible of the importance of the injunction with which the member for Tipperary had concluded his very eloquent address. He had listened to the whole of the arguments used in the debate from beginning to end, and confessed himself unable to understand the plan of the government. He did not know distinctly whether the original plan was abandoned or not. Mr. Goulburn then went on to state his objections to the measure, and after a few words in reply from lord John Russell the committee divided—For the grant, 276; against it, 273; reducing the majority of the ministers from five to two. It was expected in consequence that the conservative party would have divided again on the bringing up of the report of the committee of supply, but sir Robert Peel stated that the question having been exhausted in point of debate, and every member except twenty-four having voted upon it, he thought it unnecessary to put the house to the trouble of a second division.

On the 5th of July the subject of education was introduced to the notice of the house of lords by the archbishop of Canterbury, who in reference to the attacks made by certain parties on the clergy, in regard to this government scheme, observed that it had been asserted

[M 2]

that they wished to keep the people in ignorance, and actuated by bigotry, to have the exclusive care of the public education. Now the clergy he insisted were in no respect adverse to the diffusion of knowledge, only to mere secular knowledge they would add the sanction of religion. All they desired was, that the children of those members of their flock attached to the church might continue under their superintendence, in order that they might be educated in those principles and doctrines which they would hear preached in church. With reference to the history of the education of the poor of this country, it might appear surprising that so little was done for that object at the time of the Reformation.

Many schools were established immediately after the Reformation, of the nature of grammar schools, and were meant only for the instruction of the higher classes. At the beginning of the eighteenth century, the want of education among the poor began to press on the minds of the church, and charity schools under the superintendence of the clergy were formed to the great advantage of the metropolis. The society for promoting christian knowledge had since increased the number of these schools. Under its authority 1,500 schools had been established in England and Wales, which were instituted on the principles of the established church.

As the population increased, the want of education in this country was found to be so great, as to make the friends of religion despair. A new mode of tuition was then established, instituted by Dr. Bell, on the model of schools in the East Indies, and afterwards

adopted by Mr. Lancaster, and now indiscriminately used as the Madras or Lancasterian system. The report of the national society stated that they were in conjunction with almost every diocese in England and Wales, and by means of their fund they had aided in the establishment of schools in 4,558 places. The number of schools formerly established was 6,776; and the scholars amounted to upwards of 597,000, while in 1837 the number of schools was 17,941; and the scholars were a million and eighty-seven. Now, when the house heard these facts, the accuracy of which could not be doubted, they must admit the charge brought against the clergy of wishing to debar the people from education was totally unfounded. He was sure their lordsships, whatever might be their political sentiments, would agree with him, that the moral and religious instruction of the great mass of the people of this country, was a subject peculiarly belonging to the clergy of the established church, and that the sovereign, as head of the church, was bound by the most sacred obligations to the maintenance of that authority. "If" (said the most rev. prelate) "the church does not teach the true doctrines of our holy religion—if it does not inculcate the purest morals—if it does not insist on obedience to the laws of the country, upon loyalty to the sovereign, and the performance of every christian duty, it is utterly unworthy of your support. Look to some other source of moral and religious instruction, and that way a church which is so grossly deficient in its duty."

In the distribution of the public money for the encouragement of religion, their first object ought to

be to maintain the religion of the state. His aid should be withheld from dissenters, but sums given in such a shape as to promote dissent, were inconsistent with the support the state wished to give the established church. All such grants had a tendency to promote religious dissent in itself a great evil, and a fruitful source of misunderstanding among the people. The most recent debate was concluded by adopting the first of a series of resolutions which are subjoined below.

On the 11th of June the House considered the various documents which have been presented by her majesty's commands respecting public education, including those which refer to the application of public money in former years to aid of the building of school houses in connection with the National Society, and the British and Foreign School Society, and also the letters of the secretary of state and the president of the council of the 4th, 5th, and 9th of February respectively, the order in council of the 19th of April appointing a committee of council, the minutes of proceedings of that committee of the 10th April, and the report of the same committee of the 3d of June. "That it appears from the documents last mentioned that a committee of council has been appointed consisting exclusively of members of her majesty's government for the purpose of considering all matters affecting the education of the people, and of superintending the application of any sums which may be voted by parliament for that purpose.

"That on the 18th of April last it was proposed by such committee to establish a model school, which might serve as an example to other schools, and a normal school in which a body of schoolmasters might be formed competent to assume the management of such institutions in all parts of the country.

"It appears by the report of the committee approved by her majesty in council on the 3d of June, that the committee is empowered to retain the right of inspection in order to secure a conformity with such regulations as they may approve of for the management and

discipline of all schools to which aid may be granted, and to make grants of public money to any schools which may appear to them to require such aid respectively to the religious doctrines which may be inculcated in such schools.

"That it appears to this house that the powers thus intrusted to the committee of council, are so important in their bearings on the moral and religious education of the people of this country, and upon the proper duties and functions of the established church, and at the same time so capable of progressive and indefinite extension, that they ought not to be committed to any public authority without the consent of parliament.

"That it appears to this house, that the peculiar scheme of education set forth in the minutes of the committee of council on the 13th April, is open to grave objections with reference to the arrangement made for the religious instruction of children, to the use, within the school of any other than the authorized version of the scriptures, and to many other important details; and although it is stated in the report of the committee of council of the 3d June, that it is not in the power of the committee to mature a plan for the formation of a normal school without further consideration, and that they therefore postpone taking any steps for the purpose until greater concurrence of opinion is found to prevail, yet the report gives no assurance that the scheme approved by the committee of the 13th of April may not be carried into execution at the discretion of the committee.

"That under these circumstances, this house considers itself bound by the obligations of public duty to present an humble address to her majesty, conveying to her majesty the resolutions into which it has entered, and humbly praying that her majesty will be graciously pleased to give directions that no steps shall be taken with respect to the establishment or foundation of any plan for the general education of the people of this country, without giving to this house as one branch of the legislature an opportunity of fully considering a measure of such deep importance to the highest interests of the community."

The marquess of Lansdowne, in adverting to the objections made against the order of council, said,

that he must borrow the aid of the most rev. prelate's magnifying glass to discern with any plainness the grounds on which they rested. In the first place, his grace's motion, though professing to be based on that document, was, *unintentionally* no doubt, an incorrect statement of the facts. It was not in the order of council, he would tell him, where he found the later part of his resolutions; they were contained in a letter of lord John Russell's, and had been transferred from that letter to the order of council appointing the committee. Those words therefore, "all matters affecting the education of the people," were purposely omitted in the order. Was it then fair, for the sake of raising an argument against the order in council, to ascribe to it a proposition which had been carefully excluded from it? Confining the order in council to that which it really contained, what difference, he would ask, was there between the appointment of three or four of her majesty's responsible servants, including the chancellor of the exchequer, to superintend the distribution of the money voted by the other house, and leaving the distribution of that money to the chancellor of the exchequer alone? It should be remembered, that the money voted for the purpose of education being the money of the whole nation, of the three or four millions separated from the church, as well as of the members of the establishment, the moment one of the right rev. bench was placed upon the board, a claim would arise to place some dissenter upon it also. Would not this give rise to many differences and difficulties? It was further objected, that a change had been made in the usual distribution of

the parliamentary grant, of which no notice had been given; but in what did this change consist? The persons undertaking the distribution of these funds promised that the two establishments, already in existence for providing education, should still be considered in a particularly favourable light; but that, at the same time, they would not refuse to investigate other claims, founded on special circumstances, and particularly with reference to the poverty of certain districts. Every such case, however, was to be reported to parliament, and the discretion of the committee would be liable to be called in question, if improperly exercised. It had been the invariable practice of parliament, more particularly of late years, that grants of this kind should be made in the house of commons; that they should be carried by address to the foot of the throne; and that they should be administered on the responsibility of the government. After some ingenious arguments, by which he endeavoured to show that there were numerous precedents to justify the proposed grant, in the way parliament had dealt towards the East and West Indies and New Holland, the noble lord concluded a very able speech by moving the previous question.

The bishop of Exeter trusted he might be forgiven, if he ventured to express his own individual opinions on the questions which the noble marquess had put to the rev. bench. The first question put was this; had the church a right to claim the education of the people at large, including that portion amounting to many millions in number, which did not belong to her fold: He was not of opinion that the church had a right

to claim the enforcement of any system of education on the people at large, and, least of all, on that part of the people which did not belong to it. But the Church had a right to demand of the State such a grant as would enable it to educate all within its pale. The next question was, whether the claims of the Church of England extended not only to the religious, but also to the secular education of the people? His answer to this was, not that the church presumed to demand the direction of the secular education of this country in secular matters, but it had a right to receive from the state the means of sanctifying secular instruction, particularly of those classes, whose means required assistance in the education of their children. If he was asked, whether the state were generally to assist in the education of persons who did not belong to the church recognised by the state, he would reply, the state ought to afford such assistance; but if asked, whether the state should give it specially in the way of teaching religious doctrines which the state believed to be false, he should say, with equal candour, the state would depart from its first duty, if it dared to do so. The right rev. prelate went on to expose, in a very luminous manner, the vulgar fallacies on this question, and to show that, if the blame rested anywhere of being backward in the cause of education, it was not with the church, but rather with the state. At no period, he said, since the Reformation, with one great exception, had the state stood forward as it ought to have done upon this question. The exception was afforded by one of the best and purest of men, Mr. Perceval.

That truly christian statesman, even at a period when our finances were most dilapidated, proposed a vote of 100,000*l.* for extending the means of spiritual instruction to the people, through the increase of small livings. This vote was continued for eleven years, while the country was labouring and struggling through difficulties and dangers, and was then, to the eternal disgrace of parliament, withdrawn, when, by God's blessing on their efforts, the country had arrived at a state of peace and prosperity.

After some observations from the bishop of Durham in opposition to the government plan, and from lord Fitzwilliam and the bishop of Norwich in support of it, the bishop of London declared his reluctant purpose of voting for the proposed resolutions, condemnatory, as they were, of a highly important measure, which had received the determined sanction of her majesty's government, so determined, indeed, that they persevered in it, notwithstanding the loudly expressed disapprobation of the country at large, upon the strength of an insignificant majority of three in another assembly. The rev. prelate went on to observe, that the acquisition of knowledge, which sharpens the wit of man, exercises his faculties, and stores his memory, while it leaves untouched the conscience and the heart, does not, of necessity, benefit the person who acquires it—that education, unsanctified by religion, is evil in its tendencies and injurious in its results—was the conclusion of sound reason, confirmed by experience. He then referred their lordships to the educational statistics of Mr. Guerry, with which many of them were probably acquainted. His words were these: "While crimes against

the persons are most frequent in Corsica, the provinces of the South-East, and of Alsace, &c. where the people are well instructed, there are fewest of these crimes in Savoy, Limousin, and Brittany, where the people are the most ignorant. And as for crimes against property, it is almost always those departments which are best informed that are the most criminal; a fact which, if the tables be not altogether wrong, shows this to be certain, that if instruction do not increase crime (which may be a matter of dispute), there is no reason to believe that it diminishes it. The cause was, this, the education spoken of by Mr. Guizot was a purely secular one, untinged with religion. The government of France desired it to be otherwise, that they wished to supply this fatal defect in their system of education. This, however, had not yet been done. In proof of this, the bishop quoted from a report made to M. Guizot by one of his agents, who says of the schools in France, "As to moral and religious instruction, there is none." The same result was deduced from the educational statistics of America by de Beaumont and de Tocqueville, as occasioned by the same defect, namely, that nothing deserving the name of religious instruction formed an essential part of the established system of education. The records of our own criminal courts exhibit proofs of the same results as flowing from mere intellectual education. The intelligent and pious chaplain of the New Prison at Clerkenwell states, in his report of last year, "Your chaplain finds daily, that those whose intellects have been most cultivated are generally most depraved. Three of the best so

educated, now in prison, have been committed upon eight times, and other seven or eight, to third twice." "It is always important," the bishop continued, upon subjects respecting which the opinions of men were much divided, to learn the sentiments of persons of enlarged and philosophic minds, not more from the sphere of controversy and the turmoil of political conflicts. He would, therefore, conclude his speech by the following quotation from the report of a very eminent person, M. Cousin, who had laboured much and earnestly in the cause of education in France. "The fundamental principle of the government of the schools of primary instruction in Russia is that the agent, and the official union of popular instruction with christianity and the church, shall be maintained in a suitable proportion, under the supreme direction of the state, and of the ministry of public instruction and worship. In every case the clergy form leading members of the committee." "I ask," said M. Cousin, "whether we desire to respect the religion of the people, or to destroy it? If we undertake to destroy christianity, then I admit we must exclude it from the schools of the people, but if we aim at the opposite result, we must instruct the children in the religion which civilized their fathers, and we must let the clergy perform their first duty—that of watching over the teaching of religion, which is, in my opinion, the best and only basis of popular instruction." "The more I consider the subject, the more I converse with the directors of normal schools and the editors of the ministry, the more I am persuaded we must at any price

come to an understanding with the clergy respecting the instruction of the people, and make religious teaching a special and carefully conducted branch of instruction in our primary and normal schools; and well aware that these counsels will be displeasing to more persons than one, and that of Paris I shall be thought a methodist; and yet I write not from Rome, but from Berlin. He who thus addresses you is also a philosopher, and the object of suspicion and even persecution to the priesthood. Lord Brougham now rose and observed, that after what he had heard from the reverend prelates (the bishops of London and Exeter,) he thought himself called upon to take part in the present discussion. What he would say, was his plan, which had excited on their part so much apprehension and alarm. A mere minute of speech, recognising the performance of a certain function, by few members of the privy council, which heretofore had been done by one, and the institution of one normal school, which had been abandoned by the government. He was mortified that parliament was not ready to do its duty to the people; that after twenty-five years upon its deploring the want of public instruction in this country after all parties had confessed, that the people of England were less educated than those of central Europe, and only better than the people of Spain or Italy, all they had been able to do was screw their courage to the wall, making parliament sit a penny 30,000*l.* and appointing a committee of noblemen to distribute it. He was still more mortified to find there existed millions in this country so thought-

less and unreflecting, as to be now led away by the vulgar and exploded outcry of danger to the established church, although 20,000*l.* a year had been annually distributed by government at their discretion, without any such cry being raised. How much more had he then to fear for the plan he was himself about to bring forward, for furnishing every parish with the means of affording to all classes without distinction of sects, the benefits of education. The right reverend prelate had said, no men could be more unfitted to act as school-masters than her majesty's ministers, incapacitated as they were by other duties and so on. It had been suggested whether they were to whip the boys; nobody ever dreamt of such a thing; the words of the minute were "that the committee of the privy council are to consider all matters affecting the education of the people." Was it ever imagined that this meant their seeing to the details of education, to the books and slates used, the declensions and inflections of grammar? The right reverend prelate said, that men in the lower station of life were not influenced by that sanction of honour, which produced good effects in men of higher rank. Now the sort of sanction honour gave was of a doubtful nature in the upper classes, to pay damages in certain actions rather than tradesmen's bills, to prefer paying debts of honour incurred in gambling, contrary to the law of the land, in preference to just and lawful debts; to take offence at a word and go out and kill a man; to give tip all intercourse with a neighbour and friend and relation, who had refused to go out and kill a man. Such a code of honour was

whimsical and grotesque, yet this was the moral dispensation under which we lived, and which he hoped would be annihilated when the school-master was abroad some twenty years hence. For his own part he acknowledged no such distinctions between different classes of society; vice was "vice," crime was "crime," unlawful conduct "unlawful conduct," whether committed by a peer or a peasant. The right reverend prelate said, there was so trifling a distance for the dissenters to come over to the church that it might easily be overcome. This was the very creed of persecution, the language of the inquisitor. "The difference between us is so slight, I can compel force and burn you into compliance; mine is the true faith endowed and patronized by the state: come you then over to me." Such was the argument used by the right reverend bench, expanded into the language of the inquisition.

The archbishop of Canterbury here rose to order.

The noble and learned lord, he said, was doing him great injustice in fastening so invidious an argument upon him. The church had been accused of intolerance, and in refutation of that charge he had said the clergy had shown the greatest willingness to educate the children of dissenters, and that these last had made no objection to their children being so educated, as they felt the difference between them and the church was so trifling as to be easily got over.

Lord Brougham in resuming his speech said, nothing could be further from his intention than the purpose ascribed to him by the most rev. prelate. He would allow that the established church

was more tolerant in practice than in theory, but did its tolerance consist in permitting dissenting children to be instructed in those schools in which the church doctrines alone are taught? This did not prove the church of England to be tolerant, but the dissenters to be either indifferent or insincere.

More uncalled for resolutions he had never witnessed; he could understand men meeting in vestries and sending up 3,000 petitions praying their lordships to take decided steps against the anti-christ, and for the preservation of our holy religion, but there was not in the measure proposed by ministers a word or a whisper against the establishment, on the contrary, there was a clear recognition of its authority in the appointment of chaplain of the church to every school, which was an integral part and corner-stone of the plan. One normal school was to be formed for the purpose of instructing teachers. In that school the established church was to have a chaplain, in that single school, which was, according to the right rev. prelate, to ruin the whole established church, and esp the very foundations of religion.

The duke of Wellington said, he begged the noble and learned lord's pardon; but that order in council was not as quiet and innocent as he had endeavoured to prove it, even in lord Brougham's own view it was not so harmless to the established church. In his speeches and publications on this subject, the noble lord had more than once stated the great advantage arising to education from private benevolence. Let them see now what would be the consequence of the government system upon that source of assistance. The order

in council stated positively, that "if any school accepted any money from the public it should immediately come under the direction of the board and be subject to inspection." The board having previously required that half the sum wanting should be subscribed by private benevolence, government money was granted, the clergyman was excluded, and the school came under the inspection of the board.

Vicecount Melbourne made a few observations to the same effect as lords Lansdowne and Brougham. He said there appeared to him to be parliamentary and constitutional objections to the last resolution moved by the most rev. prelate. "That resolution was for an address to the crown, praying the crown not to take any step to establish this measure finally, without affording their lordships an opportunity of giving their opinion upon it." The resolution did not say the crown had exceeded its power or prerogative. There was no reason for resorting to parliament for what could be done simply by the prerogative of the crown. He thought it would be wise and prudent in their lordships to pause before they adopted the address which was intended to be moved. The house divided on the previous question—Contents present, 171; Proxies, 58—Total 229. Not contents present, 80; Proxies, 38—Total 118. Majority for the first resolution, 111.

In consequence of this majority in favour of the motion of the archbishop, the lords went in a body to her majesty to offer their remonstrance against the proposed alteration in the manner of distributing the educational grant, to which her majesty was pleased to

return the following gracious answer:—

"I duly appreciate your zeal for the interests of religion and your care for the established church. I am ever ready to receive the advice and assistance of the house of lords, and to give to their recommendations the attention which their authority justly deserves. At the same time I cannot help expressing my regret that you should have thought it necessary to take such a step on the present occasion. You may be assured that deeply sensible of the duties imposed upon me, and more especially of that which binds me to the support of the established church, I shall always use the powers vested in me by the constitution for the fulfilment of that sacred obligation. It is with a deep sense of that duty that I have thought it right to appoint a committee of my privy council to superintend the distribution of the grants voted by the house of commons for public education. Of the proceedings of this committee annual reports will be laid before parliament, so that the house of lords will be enabled to exercise its judgment upon them, and I trust that the sums placed at my disposal will be found to have been strictly applied to the objects for which they were granted, with due respect to the rights of conscience, and with a faithful attention to the security of the established church." At the same time the clergy, with few exceptions, declined having any participation in the proposed grant, saddled as it was with conditions to which they could not conscientiously give their assent. A great meeting of the National Society was held, and strenuous efforts were made to extend the society and

make its objects known throughout the kingdom, in order to show in the first place, that there was no lukewarmness in the cause of education on the part of the established church, and also to make compensation, as far as possible, to those clergymen who had refused to accept the public money upon terms which in their opinion they could not approve.

About ten days after the discussion in the house of lords, lord Brougham brought forward his own plan, but as it excited very little interest at the time, and as its merits were not at all canvassed by the house, and in fact the consideration of it was adjourned until the next session, we shall not think it necessary to enter into any details as to the constitution of the board of management, and the qualification for voting and other matters connected with the noble lord's scheme, which were all expounded by him in his usual clear, distinct, and comprehensive manner. He admitted, however,

that notwithstanding the great difference existing in the minds both of lay and clerical persons as to the nature of the education to be given, it was a matter well worthy of rejoicing that this important subject had at length engrossed so much attention. Thirty years ago it would have been impossible, upon a matter merely of public education, to have got such an assemblage of their lordships together, unexampled almost in point of numbers, and all taking the deepest interest in the debate. Thirty years ago the man who should have avowed his belief that he should live to see such a state of things, as that the fate of a government should depend on such a question as this, would have been deemed an enthusiast, and a visionary. For his own part, lord Brougham acknowledged with deep gratitude that such a change had taken place, and he bestowed for it all praise on the wisdom and goodness of that power, which brings good out of evil.

ance to the end of Durham and on the state of the report which it was about to deliver. The report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham, was presented to the house of commons on the 11th of March, 1839. The report was a long and able one, and it was well received by the house. It was a report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham, and it was a report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham.

THE notice taken in the House of Commons of the report of the committee on the state of the education of the poor in the county of Durham, was a very interesting one. It was a report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham, and it was a report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham. The report was a long and able one, and it was well received by the house. It was a report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham, and it was a report of a committee, which had been appointed to inquire into the state of the education of the poor in the county of Durham.

CHAPTER VIII.

Affairs of Canada—Lord Durham's Report—French Canadians—Misgovernment of our North American Colonies—Causes of the present Discontents—Motion for the Correspondence of Sir Francis Head—Discussion in Parliament—Duke of Wellington—Lord Aberdeen—Lord Durham—Lord Melbourne—Lord Glenelg—Lord Brougham—Appointment of Mr. Tait—Recommendations contained in Lord Durham's Report—Message of her Majesty to the two Houses of Parliament—Debate in the House of Commons—Lord John Russell—Review of our Policy towards the Canadas—Scheme of the Government for the Union of Upper and Lower Canada—Proposed Representation System—Address from Montreal—Resolutions moved by Sir W. Molesworth—Sir Robert Peel—Mr. Charles Buller—Mr. O'Connell—The Debate adjourned—Remonstrance of the House of Assembly of Upper Canada—Change in the plan of the Government—Discussion in the House of Commons—Committee of Supply—Lord Durham's Expenses—Second reading of the Bill for the Temporary Government of Lower Canada—Lord John Russell—Mr. O'Connell—Mr. Charles Buller—Sir Robert Peel—Mr. Ellice—Debate on going into Committee—Sir William Molesworth—Sir G. Grey—Sir Robert Peel—Legislation postponed until 1842—Powers of the Governor and Special Council—Mr. C. Buller—Conduct of the Government—Mr. Labouchere—Debate in the House of Lords—Lord Normanby—Opinion of Sir John Colborne—Taxation of Lower Canada—Lord Brougham—Severe Criticism on the Conduct of the Ministers—The Question of the Ballot—Lord Melbourne's defence—Duke of Wellington—Lord Durham—Summary of the proceeding of the Session in respect of Canada—Lord Lyndhurst's Speech.

THE notice taken in her Majesty's speech at the opening of the parliament of the difference that had so long distracted the Canadas, was not of a very satisfactory description, and the greatest interest was felt by all parties in speculating on the course which the government would pursue in refer-

ence to the earl of Durham, and on the nature of the report which he was about to lay before the country. This report, or a considerable part of it transpired through the columns of the Times newspaper some days before it was presented to either house of parliament, or made known to the officers

of the government. And in consequence of this most unusual circumstance, and at the urgent request of lord Durham himself, lord Melbourne laid the report and other papers respecting Canada on the table of the house of lords on the 11th of February, and at the same time expressed his hope that before the Easter recess he should be enabled to introduce a measure for the purpose of putting a speedy end to the discontents in that part of the empire. In the course of the discussion that followed, lord Durham said, that he deeply regretted the premature publication of the report, although from his subsequent statement it would appear that it could have been little matter of surprise to his lordship. There had been, he said, an understanding with the ministry that the document should be printed before the meeting of parliament in order to save time, and accordingly 2,000 copies were prepared, and he had himself half a dozen for circulation among his private friends.

Lord Wharcliffe and the earl Wicklow censured this transaction as altogether irregular, and lord Melbourne declared his total ignorance of the permission for private circulation. Lord Westmeath said that the noble earl in his report had stated, that the country was indebted to him for his expenses 10,000*l*. This account he thought ought to be settled without delay. Lord Durham, however, disdained any intention of calling on the country for a single sixpence, and begged that the question of his mission to Canada might be treated without any admixture of these low and petty personalities.

The chief cause of all the troubles that have for so long a period

disturbed the provinces of Lower Canada is to be found, according to this report, in the spirit of exasperation that has grown up between the two masses by whom the colony is peopled. It is possible that under a better system of management, this unhappy temper would never have been called forth, and the present great disparity between the numbers of the two races would not have existed. During the eighty years that have elapsed since the conquest of Canada, the French inhabitants have increased more than sevenfold, not from 60,000 to 450,000 souls; while the English settlers as yet amount to no more than a fourth of the entire population, notwithstanding the great tide of emigration which has set in that direction, and which in the nine years between 1829 and 1837 landed from this kingdom at the port of Quebec upwards of 250,000 persons. A large proportion of these emigrants located themselves in the first instance in the colony, while the remainder went forward to the Upper Province, but of those who originally settled in Lower Canada many appear to have been drawn away by the superior advantages offered to the industrious classes in the neighbouring states of the Union. Had a larger portion of the colonists been English or of English origin, such a state of things as we find described in lord Durham's report could not have arisen; and there need have been no more cause for "exasperation" between the races than has been experienced in Louisiana between the French and American residents who have hitherto lived together in harmony. Another impediment to the social progress of these states may be found in the

ignorance in which the native Canadians have been suffered to grow up, not much to the credit of the colonial legislators, and the successive administrations of the colony.

We were by no means prepared for the statements made upon this subject by lord Durham, which prove, if accurate, how wide a difference there sometimes is between the performance and the promise held forth in official papers. According to returns laid before parliament it would appear that in the year 1885 there were in Lower Canada, besides "several Roman Catholic colleges, and a number of private seminaries for the higher branches of education," two grammar schools, one at Quebec and the other at Montreal, and in the three districts of Quebec, Montreal, and Trois Rivières, thirty-six free schools with 1841 scholars. In addition to these there were established under a provincial act of parliament 1,171 elementary schools, with 37,658 scholars, distributed through the colonies, and placed under the superintendence of trustees annually elected by the inhabitants. The schools are no doubt there, and there is as little reason to doubt that the money which is appropriated to their support is disbursed, but the degree of utility which attends them may be estimated by the following passage taken from lord Durham's report. "It came to my knowledge that out of a great number of boys and girls assembled at the school house door of St. Thomas, all but three admitted upon enquiry, that they could not read, yet the children of this large parish attend school regularly, and actually make use of books. They hold the catechism book in their hands as if they were reading while they only re-

peat its contents which they know by rote." The only exception to this state of things made by lord Durham is in favour of the Catholic clergy, who are represented as a most respectable and well conducted class of men who have sided at all times with the government against their misguided countrymen, knowing themselves to be in truth ministers of peace. There is no combination between the two races for public objects. All public meetings, no matter for what purpose they are called, are attended exclusively by one or other of the races. They cannot harmonise even in associations of charity, the only public occasion on which they ever meet is in the jury box, and there they meet only to the obstruction of justice."

More need not be said on this head to show the utter hopelessness of all attempts to improve the tone of society in the colony, so long as this exclusive spirit shall be allowed to take the place of those better feelings which should actuate members of the same community. There is indeed one bright spot to which we gladly turn, exhibited in the total absence of religious dissensions. Sectarian intolerance, says lord Durham, is not merely not avowed, but it hardly seems to influence men's feelings.

The points which we have thus hastily run over are those which although they have been most influential according to lord Durham, in producing the evils which have long distracted society in Lower Canada, and have chiefly led to the recent arming and shedding of blood, are precisely those which have been least brought into notice in any previous expositions of the state of the province, and for this reason, they have the

least interfered with the course of official business. While we have heard nothing of this utter neglect of the education of their youth, and while we have understood but little of the spirit of alienation which has converted the animosities of social life into the gall of bitterness. We have been made fully acquainted with the dissatisfaction arising from the composition of legislative and administrative councils, and the so-called unconstitutional interference of government in matters of revenue. These points have been so often explained and discussed during the progress of the dispute, that it is not necessary to advert more particularly to them now. The broad line of demarcation, which in Lower Canada separates parties by the distinctive characters of race, has no existence in the upper provinces, nor in the remaining British North American colonies. Neither is the same amount of ignorance ascribable to their several populations, nor have these latter to complain in any great degree of the absence or perversion of justice; and yet disputes and dissatisfaction have arisen and still continue between their local legislatures and governments.

On the 15th of February, the duke of Wellington in the house of lords, moved an humble address to her majesty for copies of the correspondence of sir F. Head with her majesty's government on the affairs of Upper Canada; and also, for copies of the correspondence of sir J. Colborne and her majesty's government, relative to the establishment of rectories in Upper Canada. Viscount Melbourne said, it would be extremely inconvenient to produce the whole of the papers, but he was ready to lay before the house such portions

of them as appeared to be necessary for the defence of sir F. Head, or which afforded general information. If, therefore, the noble duke would allow him, he would suggest that the motion should be for "copies or extracts," as to the correspondence of sir J. Colborne relative to the establishment of rectories. It was very voluminous, but he did not object to it being produced in any form of law.

The duke of Wellington in reply observed, that he was satisfied from what he had learnt in Lord Durham's report, that this correspondence ought to be produced. Sir F. Head had announced his intention to publish the whole of this correspondence. However, he had no objection to alter his motion according to the suggestion of the noble viscount. The earl of Aberdeen said, it was impossible for the house to proceed to legislate on the important question of Canada, without being in possession of this correspondence. Lord Durham in his report had of course made certain allusions to the conduct of sir F. Head, but it was for her majesty's government to consider, whether those parts of the report should have been published and laid upon the table of the house. In consequence, however, of this unprecedented example of allowing the noble earl to make a printed report, her majesty's government was prevented from dealing with it as it was their duty to their sovereign to do before presenting it to that house. He denied that any portion of that report should have been published as a matter of course, all reports belonged exclusively to the crown, and it was for her majesty's ministers to produce, on their own responsibility, such portions only of these reports

to the thought proper and Lord Disbhall agreed entirely in the doctrine laid down by the noble and old member, and considered many despatches of reports furnished by Lord Disbhall's official capacity to her majesty's government as his own property. But in this case the report having been delivered by him, and received by her majesty's ministers, his request (nearly understood) it was to be presented on the first day of the meeting of parliament, and that time, when the noble duke questioned relative to its being printed, a printed copy of the report (in his hand) and was at the time several hundred copies had been printed for circulation. It subsequently appeared the presentation of that report was postponed, and that he was at first ignorant of this, and was acquainted with the fact, he felt it necessary to put the question as to when the paper would be produced. Her majesty having expressed her approbation of the manner in which it had been prepared, by a letter from the colonial secretary, he conceived it to be an official report which would immediately be presented to parliament, and that then his duty would be finished. The letter to which he alluded he received on the Tuesday night, and it was not until Friday that he made any complaint of the publication, having, in the mean time, only distributed about half a dozen copies of the report among his immediate friends. With regard to the motion of the noble duke, any one who read the report must see, that no intention whatever was manifested on his part to make any charge against Sir Francis Head. He had merely stated facts, founded on evidence submitted to him, which showed the feelings preva-

lent throughout the province. No danger could possibly arise from the publication of it, as it was well known throughout the colonies, facts, of which their lordships might be ignorant, but which were printed in all the newspapers circulated through the United States; and could be only dangerous if suppressed in this country. His only object in framing the report, was to lay before their lordships the truth that they might judge of a state of things by which the comparison between the Canada and his mother country was placed in a clear and open day. His object was to perpetuate that contention and render it indisputable, and sovereign his humble position that he had been able to render a greater service to his country, than in laying before the House of Commons which would at least compel their lordships to direct their various attention to this important subject. The Earl of Wicklow said, he conceived it necessary that not only Lord Durham's report, but any report given by Lord Gosford or Lord Aylmer should be laid before parliament. Lord Melbourne said, he was anxious to afford every information. He did not think the noble earl had any right to conclude, that his report in full would be laid before parliament; but that government now had no discretion in the case. He believed all Lord Gosford's reports had already been submitted. Lord Glenelg entirely agreed, that it was for ministers to decide whether this report should be laid before parliament, and it was a point which rested exclusively with every government. But it was not unusual to print public documents for more convenient consideration, though not for the purpose of premature

publication; such printing, however, took place under certain rules and restrictions, and it did not at all follow because documents were printed, that the discretion of government as to laying them before parliament was thereby abandoned. The publication of this report, rendered it unquestionably necessary that the correspondence of sir F. Head should be produced. He had before objected to this production, the information would appear in the English papers, and; perhaps, for the first time, certain persons would see strong animadversions on themselves, without the possibility of entering into the charges. This he regretted as a great misfortune, at the same time the case of sir F. Head would not be complete, unless the whole of those papers, naming those individuals, were laid before Parliament.

Lord Brougham coincided in the opinion, that the consent of government was necessary before papers were laid on the table of the house; that documents of this kind should be printed before presentation, was, however, by no means unprecedented. If they got abroad prematurely, there was gross breach of trust, not on the part of the office with which the documents were connected, but by some of the persons out of doors through whose hands they must pass. He himself well recollected a breach of confidence which had occurred some years ago, with respect to the proceedings on an Irish bill, and which to this day was a matter of surmise and suspicion, but it was fair to add, no suspicion rested in any degree with the government office. Lord Ellenborough having expressed his desire, that an enquiry be made as to under whose direction 2,000 copies of the report

had been printed; the earl of Durham said, the printing took place by the direction of sir George Grey, the under secretary; and one of his (lord Durham's) late secretaries.

Lord Durham said, no communication had taken place between him and the noble lord at the head of the department on the subject, except in writing. Reference had been made to a letter addressed to him (lord Durham) by the noble lord, late secretary for the colonies, on the 5th instant, and a meaning put upon part, in which he did not concur. Now he would ask, whether there would be any objection to the production of that letter, and would move that it be laid before the house.

The appointment of Mr. Turton as secretary to lord Durham was another topic which had excited severe animadversion on the part of the public press, and it certainly betrayed in those who appointed him, a great indifference, not to say defiance, of public opinion: the crime proved against that individual in the ecclesiastical courts being in a moral and social point of view, of a very aggravated character. Lord Winchilsea had repeatedly questioned lord Melbourne on this subject, and not having received any satisfactory reply, he moved, on the 19th of February, pursuant to a notice he had given, that a humble address be presented to her majesty praying that she would be graciously pleased to order to be laid upon the table of the house any correspondence that had passed between her majesty's government and lord Durham, relative to the appointment of Mr. Turton. Lord Winchilsea said, that having had the acquaintance of that individual, it was a painful

duty to him to bring this matter before the house, but had he been his nearest and dearest friend, he should have taken the same course. A short and somewhat unsatisfactory discussion took place in which lord Melbourne defended his own conduct and repeated that he had seen the appointment in the Gazette with surprise and concern. Lord Brougham made rather an eccentric speech, in which he described Mr. Turton as being a man of the highest talent, the most profound information, and with this one exception, the most upright character. Lord Durham took the whole responsibility of the appointment on himself, and insisted he was justified in giving what appointment he pleased to Mr. Turton. He had known him from his earliest infancy, but had been separated from him by the chance of life. He knew also Mr. Turton's high professional reputation, and that he had been employed as advocate-general in India, by lord Combermere, for above a year and a quarter, that lord Amherst confirmed that appointment, and he discharged the duty so much to the satisfaction of the governor and council in India, that they did a most unprecedented thing, namely, they voted him 5,000 sicca rupees, and also a vote of thanks for his conduct. It was not, therefore, to be endured, that he (lord Durham) was to be taunted for appointing to this trusty office, a man who had filled the highest judicial situation in India. Nor was that all, for the inhabitants of the three presidencies elected him to be their agent in this country. Lord Durham threatened, moreover, that if this matter were persisted in further, he would not rest until he had got an inquiry into the case of

every public man who had received official employment after having been convicted of the same kind of immorality as Mr. Turton. Lord Winchilsea replied, that he had brought the matter before the house from a sense of duty, and he was not to be diverted by taunts or threats, let them come from what quarter they might.

It may, perhaps, be desirable here to state generally what is the line of policy which lord Durham in his report, recommends the legislature to pursue with a view of removing altogether the discontents prevailing in the Canadas. No change, according to his lordship, is required in the principles of government hitherto recognized in that country, nor any adoption of new constitutional theories. It is only necessary to follow out consistently the principles of the British constitution and to introduce into the government of the colonies certain provisions necessary for the efficient working of the representative system. With a view of carrying these objects into effect, lord Durham would place the internal government of the colonies, as much as possible, under the direction of the colonists themselves, and allow them to execute as well as make the laws. He would limit the interference of the imperial government and legislature strictly to such matters as affect the relations of the colonies with the mother country; and he enumerates as the only points on which such a control is advisable—the constitution of the form of government, the regulation of foreign relations and of trade, and the disposal of the public lands. A perfect subordination on these points would be always cheerfully acknowledged by the colonists in

return for the advantages they would derive from their connection with a great empire. The *practical* results upon which his lordship would depend mainly for the accomplishment of the end proposed are as follows. 1st. The establishment of a good system of municipal institutions. 2nd. The establishment of a sound and general system for the management of the lands and the settlements of the colonies, placing the entire administration in those respects under the control of the imperial government. 3rd. The imparting a national character to Lower Canada, which character must be that of the British empire, and without effecting the change so rapidly or so roughly as to shock the feelings and trample on the welfare of the existing generation, to establish an English population with English laws and language. This result it is proposed to obtain by the fusion of the government in that of one or more of the surrounding provinces, that is, by the formation of them into a perfect legislative union, over which one legislative body shall exercise universal authority exactly in the same manner as the parliament legislates alone for the whole of the British Isles. 4th. The immediate passing of an act by the imperial legislature to repeal the act of the 31st Geo. 3rd and thereby re-uniting the Canadas under one legislature and re-constituting them as one province. This act to contain provisions by which any or all of the other north American colonies, may on the application of the legislature, be with the consent of the two Canadas, or their united legislature, admitted into the union on such terms as may be agreed on between

them. 5th. To appoint a parliamentary commission to determine the number of members to be returned to the provincial parliament from each district in proportion to its population. 6th. That the same commissioners shall form a plan of local government by elective bodies subordinate to the general legislature, who are to exercise such a control over local affairs, as do not fall within the province of general legislation. 7th. To establish a general executive and a supreme court of appeal for all the North American colonies. 8th. To revise the constitution of the legislative councils, so as to make them act as an useful check on the popular branch of the legislature, without offering those occasions of irritation which have hitherto resulted from such interference. 9th. To give up at once to the provincial legislature all the revenues of the crown except those derived from the sale &c. of public lands on the concession by that legislature of an adequate civil list. 10th. To assimilate the government of that colony as much as possible to that of the united kingdom, by rendering all the provincial officers except the governor and his secretary responsible to the colonial legislature. With this view, the governor should be instructed to carry on his government by "Heads of departments in whom the colonial legislature shall repose confidence" in other words that an adverse vote of the house upon any point affecting the general policy of the government shall occasion as in this country, a change of ministry in the colony. 11th. That the independence of the judges shall be secured. 12th. That no money votes shall be originated in the parliament,

without the previous consent of the governor on the part of the crown. 13th. That all former legislative provisions with respect to reserves of land for the clergy shall be repealed. 14th. That emigration to the colonies shall be promoted on the greatest possible scale, according to the system which forms the subject of a separate report, and which system shall, without entailing any expense on England or her colonies, provide the necessary funds for that object, and for improving the means of communication throughout the provinces. Many other suggestions for improvements in the government of the colonies are to be found in the report, but the above comprises all the most important of its recommendations.

To those who can only regard municipal councils as normal schools for agitation, it may appear hazardous to call such institutions into existence in a community where agitation has so recently terminated in open and armed rebellion, but we can scarcely consider this recommendation in such a light. In a country like England, notwithstanding its small geographical extent, and the perfection of its means of communication, it is still felt to be impracticable to include the local concerns of every district among the duties of the general government, how much less practicable must it be in a country where the population is thinly scattered, and where the means of intercourse are so very imperfect. But, after all, the proposal for the amalgamation of the two provinces, is the question of greatest importance, and although much opposition must be expected and serious difficulties be overcome, before such a scheme can be car-

ried into effect, it must nevertheless be admitted that there is a great identity in the interests material, as well as political, of the two provinces.

If no other consideration had served to prevent their severance, the fact of the sole means of communication with the mother country and the rest of the world on the part of Upper Canada being through the lower province, should of itself have been sufficient for that purpose. The St. Lawrence with its chain of lakes, the great commercial high road of the Canadas, requires improvement in order to the full development of the powers and resources of the provinces, and this can never be undertaken and accomplished, while their public revenues are dissipated. It further appears quite evident, from the experience of the last few years, as well as from the facts newly brought to light by Lord Durham's report, that there is little reason to hope for cordiality between the provincial parliament of Lower Canada and the government, so long as a majority of its members shall be sent to represent the feelings and peculiar interests of the French section of the people; and there is, perhaps, no method altogether so simple and natural, and so little liable to objection whereby that majority can be neutralized, as the union of the two legislatures, or rather the election of members from every district of Upper and Lower Canada, to the same house of representatives. By such a course the French party would still exercise a great, though not overwhelming influence, while the surplus revenues of the lower province would come in aid of the deficiency of the other, and would be employed for the prosecution of

works essential to the social progress of both. These are the principal considerations that may be urged for the re-union of the two provinces, and, so forcibly impressed were her majesty's ministers with their weight and importance, that on the 3rd of May, lord Melbourne presented the following message from the Queen to the imperial parliament.

VICTORIA R.

"Her majesty thinks it proper to acquaint the house of lords, that it appears to her majesty that the future welfare of her majesty's subjects in Upper and Lower Canada would be promoted by the union of the said provinces into one province, for the purpose of legislation, from and after the period to be fixed by parliament.

"Her majesty, therefore, recommends it to the house, to consider such measures as may be submitted to them for that purpose.

"Her majesty is persuaded, that the house of lords will be careful to combine a due regard for the peace and security of these important provinces with such provisions as may be conducive to the welfare of England, and the permanent freedom and prosperity of her North American provinces."

This message from her majesty was not, however, taken into consideration until the 3rd of the month following, when lord John Russell rose and addressed the house. He said it had now become his duty to call upon the parliament to lay the foundation of a permanent settlement of the affairs of Canada. He thought, upon general grounds, there were sufficient reasons for introducing some measure into parliament with regard to those complicated and disturbed affairs. Various reports from commissions

of inquiry had been laid on the table of the house, and the abrupt termination of the mission of lord Durham, made it inexpedient to appoint any other person with similar authority. But, there were also special reasons why parliament should declare its opinion with regard to the principle upon which the legislation of Canada was to be guided. When parliament last year passed an act which was agreed to by large majorities in both houses, to provide for the temporary government of Canada, it was supposed that the powers granted by the act, were so extensive, and partook so much of an arbitrary nature, that it would be unnecessary for the person exercising the authority of the crown in Canada, to apply to the home government for any farther powers in order to preserve peace in those provinces. But, at the end of the last session of parliament, in consequence of an ordinance passed by lord Durham, new views were stated with respect to the powers conferred by that act of parliament; and very learned authorities not only questioned that particular ordinance of lord Durham, but disputed altogether the extensive nature of the powers, which had been in the opinion of the government fortified by that of the lord chancellor and the attorney-general conferred upon the governor-general of Canada. The consequence of that interference of parliament was, that a tribunal in Lower Canada, expressed on one particular occasion strong doubts as to the validity of the act to enable the governor-general of Canada to detain persons suspected of high treason. Two of the judges concurred in an opinion, that the person so detained, was entitled to a writ of habeas corpus.

The governor, by the exercise of an authority very arbitrary, but very necessary, refused to allow this writ to be executed. He justified the officer, who refused to produce the body of the prisoner, and suspended the judges who had given an opinion contrary to the effect of his ordinances. In the circumstances in which Canada was then placed, with an impending rebellion and resistance already begun in some of the provinces, had the governor acted otherwise, the consequences of his agitation would have been great bloodshed, and, perhaps, the actual safety of the provinces would have been endangered. At the same time, an act of parliament should not be left in such a state as to oblige the governor to resort to such an extreme measure as the suspension of the judges, who had doubtless acted from the most conscientious motives. The act of 1791, Lord John Russell went on to observe, was founded on these two principles. First, that by dividing the province into two, the French population might remain in that portion called Lower Canada, whilst British emigrants would have freer scope for their industry, and power to establish their own institutions and customs in the other portion of the province which was to be called Upper Canada. Another reason was, the French inhabitants being very loyal to the crown, of very simple habits, and possessing institutions to which they were much attached, it was advisable that means for maintaining those institutions should be preserved to them. Readily allowing, as Lord John did, that there might have been at the time reasons which cannot now properly be judged for introducing the constitutional act of 1791, still upon both

these grounds he regarded it as a mistaken act of policy. It appeared quite impossible so to contrive a division of the two races as to keep the British in Upper Canada distinct from the French in the lower province. He did not think there was anything in the old French institutions or the habits of the people which deserved to be retained. For many years the people of Lower Canada, being chiefly French, made no opposition to the government at home, but in time there grew up a considerable population of British race possessing a great spirit of British enterprise and large commercial capital, and anxious to push to the utmost the advantages to be derived from the rich soil and opportunities of trade afforded by the position of Lower Canada. The result was, the house of assembly strongly opposed the views of the crown in England, whose practice had been to make an appropriation of the supplies of Lower Canada, which were never voted by the house of assembly. There thus grew up a constant source of irritation between the members of the house of assembly chosen by the inhabitants of Lower Canada, and the British majority in the legislative council, placed there by the crown. A committee was appointed in 1828, which made various propositions of amendment; these, it must be said, were fairly admitted by the government of this country, but the house of assembly elated by a triumph over the mother country, made demands totally incompatible with the relations between the parent state and a colony. In consequence of these proceedings, he proposed in the year 1837 certain resolutions to the house, which were adopted by a great majority. These resolutions nega-

tived the proposal of the assembly of Lower Canada, and declared the resolution of this house not to agree to the demands which the house of assembly had said were the *sine qua non* for granting these supplies—they went on to declare, that the house of Commons would by authority of parliament, provide for payment of those servants of the crown in Canada, whom the assembly had for more than three years, left without any pay. The consequence of this proceeding was increased discontent amongst the French leaders and their followers in Lower Canada. This state of things was considered so dangerous by lord Gosford, who was then governor of that province, that he issued a warrant for the apprehension, on charge of high treason, of many members of the house of assembly, who, with few exceptions, immediately left the country. The rebellion then took place, on which was founded the act of last year. In consequence, and under the powers of that act, lord Durham was sent to Canada; and considering the difficulties of the administration, and the immense amount of business, the attention he paid to the whole state of the province shows, that had he remained for the whole time originally contemplated, a very satisfactory and detailed account would have been received from him of measures, by which the evils of Canada could have been remedied. As the matter stood, the report of lord Durham contained a very forcible picture of the evils of Lower Canada, and of the animosities existing between the two races of the British and French in that colony. Lord John Russell then proposed his remedies for these grievances, in the re-union

of the two provinces. He found, he said, that whether with regard to political or material interests, the act which separated the provinces, was the cause of the political dissensions in Lower Canada, at the same time that it arrested all enterprises of public utility, and impeded the course of commerce in the upper province. Another plan, lord John Russell then said, had been suggested, by which the power of the governor and the special council in Lower Canada, to dispose of the whole of the taxes, and to make laws for that province, should be continued. A third plan, was that proposed by sir Francis Head, namely—that the district of Montreal should be added to Upper Canada, and that Lower Canada should be differently governed. To both these plans, there were in his lordship's opinion insuperable objections, and he knew not to what they could resort, unless by a union of the two provinces, to give to the British population of Upper Canada, and the British and French population of Lower Canada, equal and free institutions, by which a representative constitution might be carried into effect, and all means of promoting the prosperity of both provinces be fully obtained. There had been another scheme for the confederation of all the North American provinces, each having a separate assembly, and at the same time one supreme assembly over all. Upon that subject he consulted sir James Kemp, whose opinion was always of great weight in reference to Canadian affairs, and who said, from the state of the provinces, he was convinced such an union would not be practicable and lord Durham was of the same opinion.

In connection with this subject

lord John adverted to one portion of lord Durham's report, in which it was proposed, power should be given to the governor to suspend by proclamation the writs for any electoral districts in which disturbances might have taken place, stating specifically the grounds for such suspension. This, he said, appeared a very objectionable power to be given to the governor. Lord Durham also proposed, that there should be local elective bodies in the provinces subordinate to the general legislative body, in which proposition lord John Russell was disposed to agree. He thought they should be elective bodies in the shape of municipal bodies, with power to levy local taxes for the formation of roads, bridges, and other necessary local purposes. With regard to the constitution of the legislative council, the report of lord Durham did not contain any very different proposal from the resolution of that house—which declared it was not expedient to give the legislative council an elective character; but to give it greater weight, with the view of inspiring more confidence in its proceedings. With regard to the crown revenues, he would propose, that the assembly should have the power of applying them; when a provision had been made by that assembly for an adequate civil list. Upon the important question of the responsibility of the individual holding the office of governor of the province, lord Durham had expressed an opinion contrary to that entertained by the house. He stated, an analogy existed between the representative of the crown in the colony, and the constitutional responsibility of ministers in this country. Now the resolution of the house was in these terms.

"Resolved, that while it is expedient to improve the composition of the executive council of Lower Canada, it is inadvisable to subject it to that responsibility demanded by the house of assembly in that province." The house came to that resolution, and nothing in the report had shaken the argument by which he had then supported it.

It seemed, that in Lower Canada, there had been for a long time a strong party anxious for such an union as that which was now proposed; and declaring it was the only means for providing for the true interests of the country. This lord John observed, was distinctly stated in several of the addresses, especially in one presented to lord Durham, by an association of Montreal. The legislature of Upper Canada, had decided in favour of a general adherence to the proposal for union, but at the same time insisted upon conditions which could not be reasonably or fairly granted. They had "Resolved, that the experience of the past year confirms the house in the opinions then expressed; and they are still of opinion, that a united legislature for the Canadas on the terms then proposed is indispensable; and that further delay must prove ruinous to the best interests of the Canadas;" and it was resolved also, "that as a measure deeply affecting the future interests of this province is now impending before the imperial parliament; it is of the utmost importance, that one or more authorised agents deputed by this house, should proceed forthwith to England to represent the true interests and opinions of her majesty's faithful subjects in Upper Canada."

This resolution was adopted by a considerable majority in the legislative assembly. The legislative council however, rejected it by a majority of two. It appeared, that both the legislative assembly, and the legislative council, considered themselves assailed by lord Durham's report. With this feeling they deemed it necessary to appoint a committee, who had drawn up a long report of the transactions in Canada; and came to a resolution not to send the agents to England in order to represent their views. They had however sent an address to her majesty, in which they referred to a report of their committee of the 30th April: 1839, and they had finally come to a decision on two important points. That the proposal of the legislative union of the two provinces, and of the responsibility of the officers of the government to the legislature, had undergone an investigation of the deliberate judgment of the house; to the first they assented, but the second they pronounced inconsistent with the dependence of the colonies on the mother country. The noble lord concluded by moving the following resolutions:—

1st. It is the opinion of the house, that it is expedient to form a legislative union of the provinces of Upper and Lower Canada, on the principles of a free and representative government, in such a manner as may most conduce to the prosperity and contentment of the people of the united provinces.

2nd. That it is expedient to continue until 1842, the powers vested in the governor and special council of Lower Canada, by an act of last session, with such alteration of those powers as may be deemed advisable.

Mr. Hume protested against the plan of the noble lord; and Mr. Goulburn moved the adjournment of the house.

Sir Robert Peel then spoke on the question of adjournment. In regard to what had fallen from the noble lord, he was surprised to hear it was not the intention of her majesty's government to propose any legislative measure in the present session, having reference to Canada. The noble lord had stated, he had that day received important information from Canada, which had confirmed him in the opinion that legislation for the present was impolitic. He trusted the noble lord would lay that information on the table of the house, and when they had seen the resolutions and address, they would then be better able to come to a safe and satisfactory conclusion on the course which the government proposed to adopt. The noble lord had desired their assent to the resolution of not proceeding to legislate till 1842, but he had also said the house of assembly was not to meet until that period. It would not surely be politic, sir Robert Peel continued, for the imperial legislature to give any such pledge. Union would not be a wise measure abstractedly considered, without knowing how the weight of the two provinces in the representative assembly was to be adjusted and maintained. Lord Durham in his report had strongly called for the immediate consideration of Parliament on the subject of a legislative union. On his first arrival in Canada, that nobleman was inclined to advocate the project of a federal union, and from the first had determined there was nothing in the lower provinces to prevent a legislative one. This

did not however apply to Nova Scotia and New Brunswick. The noble lord said in his report, "Moreover the state of the two Canadas is such, that neither the feelings of the parties concerned, nor the interests of the crown, nor the colonies themselves, will admit of a single session, or even of a large portion of a session of parliament being allowed to pass without a definite decision, by the imperial legislature, as to the basis on which it proposes to found the future government of those colonies; and the report went on to say, "In existing circumstances, the conclusion to which the foregoing considerations lead me, is, that no time should be lost in proposing to parliament a bill for repealing the Stat of George III., restoring the union of the Canadas under one legislation, and re-constituting them as one province." Sir Robert said, it was possible her majesty's government had sufficient grounds, of which the house was not aware, to induce their adopting the recommendation of lord Durham. But all his parliamentary experience was entirely against resolutions pledging the house to any particular course. The noble lord had said, he would give a guarantee that a constitutional government should be ultimately established, but he asked that the power now existing in Canada should be continued for some time. So that whilst it was proposed to give the present government and council an absolute power in Lower Canada, it was thought desirable to give the public an assurance that a constitutional regimen would be ultimately established; and this appeared to be the sole advantage to be derived from such a resolution. Sir Ro-

bert's answer to this was, they had already given that solemn guarantee, they had justified the suspension of the constitution of Lower Canada, solely on the ground that they would give the Canadas a constitutional government; and when the act for suspending the constitution was made by the imperial parliament, it was distinctly stated, that the measure was only resorted to from the dire necessity of the case, created by circumstances which could not be overruled.

Mr. Charles Buller, was glad to find the noble lord favourable to the plan of the union of the two provinces; and only regretted he had not adopted a still more valuable suggestion contained in lord Durham's report, for the union of all the five provinces, without which the executive government would be imperfect. If the government were not prepared to adopt that principle, it would have been far more prudent and more liberal to do away with the farce of a responsible government. In the house of assembly, three executive councillors represented the executive government. The question arose as to the appointment of the delegates to England, there was a division as to the two delegates, the majority against the first, was 87 to 7; while in the second case the numbers were 35 to 9; these would be called very large proportional majorities, and in the minorities on each occasion there were the whole of the executive councillors. There was a regular ministerial minority in the house of assembly, and in what country had a legislature been ever carried on to the advantage of the community, when the executive was constantly opposed to

the will of the people, and how long was it supposed the people of Canada would submit to such a system.

Mr. O'Connell said, with regard to the course now suggested by the government, had they proposed to go on trippantly with this legislative union, there would have been grave complaints of their proceedings in so solemn a matter without learning what it was the people wanted to have; however, when they talked of pausing before acting effectively, they were taunted with uncertainty in their proceedings. It was better to be over cautious and to ascertain how far the measure would be acceptable to the parties most interested than to proceed hastily in their determination of the ultimate plan at the risk of awakening the discontent of the people. He protested against carrying this union into execution at the expense of the French Canadians, and if the union were made, it should not give the superiority to either colony. He claimed, that the French Canadians should be placed on a perfect equality with the other inhabitants, and enjoy every advantage conferred upon them.

Lord John Russell in reply, thought it necessary to say a few words on what had fallen from Mr. Charles Beller. The hon. gentleman asked him if he approved of the principle that the executive government of a colony should be carried on with a minority in the house of assembly. What he really said was, that the executive should be carried on in such a way that their measures should be agreeable and acceptable to the representatives of the people; and he saw no reason why the government should not agree

to adopt the measures approved of by a majority of the colonists. The right hon. baronet had objected to their now coming down with a resolution on which they did not propose to act till 1842, that was not his (lord John Russell's) statement. He was of opinion the assembly ought not to meet until 1842, but that the union might be effected much earlier. At the same time, he was by no means sure, that much time might not be required for the adjustment of so important a question.

The debate was then adjourned to the Monday following, when lord John Russell stated his intention of withdrawing the first resolution, pledging the house to the abstract principle of a union of Upper and Lower Canada. The reason assigned by him for this change in the policy of the government was, the strong protest against such a measure on the part of the commons house of assembly of Upper Canada. This protest is contained in a report drawn up by a select committee of the house of assembly, and submitted to her majesty. The remonstrance of such a body is of course entitled to the greatest respect; and the proposal to unite the two provinces would probably be equally unpopular with the French party in the Lower province, but it seems by no means an easy matter to devise a plan which should leave that party altogether independent, and at the same time not commit injustice to the settlers of Anglo-Saxon origin. It appears at this advanced period, no less impossible to insulate the former, than to withdraw the latter portion of the population; while to restore the suspended constitution at the present mo-

ment, would be to abandon the minority to a repetition of the insults and injuries to which they have been subjected from the jealousy of the French Canadians. Had it been possible in any way to have conciliated these by giving them an administrative system suitable to their habits and wishes, without injustice towards our other fellow subjects, who are of course equally entitled to consideration, such a measure would have been highly desirable, though its adoption would probably have deprived the mother country of almost all the benefit which she derives from her connection with Lower Canada; a province which possesses no exportable products of its own, and from the tastes and habits of its people, affords but a poor market for those of this country; but in a political point of view, the connection would nevertheless have been of the highest value to us. Their willing allegiance would never have been withdrawn from monarchical England, to be given to republican America, and many years must have elapsed before the idea of forming themselves into an independent nation, could have been seriously entertained by them; Lower Canada would have been valuable to us from the greater security it would have imparted to our other colonies in that region. This insulation however being impracticable, the next best course appeared to be, that proposed in the first of the above two resolutions, the object of which is, the amalgamation of the French with the English settlers, in the lower and upper provinces, under such a scheme of representation as will preserve all parties from partiality and injustice. The scheme proposed by lord Durham in his

report for uniting the whole of the British North American colonies under one federative legislature is liable to this serious objection, that the union of so many communities each rapidly growing in wealth and population, might hasten the period which some consider as the natural termination of colonial dependence, and bring to pass that severance from the mother country which is less likely to happen whilst each province in its comparative weakness looks to her for protection.

With regard to the 2nd resolution, proposed by lord J. Russell, the idea of continuing for three more years the unconstitutional power, now placed in the hands of the governor and special council of Lower Canada, is rather startling. If as we have before remarked, the proposed union will be unpalatable to the French party in Canada, it would be manifestly unwise to place that party again in a position that would enable it to frustrate the plan, as undoubtedly would be the case if the late house of assembly, or any other that would now be elected in Lower Canada were re-invested with legislative powers. It is certainly of importance, that the terms and circumstances of the union should be so fully considered, before being carried into effect, as to remove as far as possible the necessity of future changes, and considering the unsatisfactory temper of mind recently manifested by large portions of the Canadian population, the great extent of territory and diversity of interests to be consulted, and the distance of the home government, to which recourse must constantly be had for advice and instruction upon every part of its details, perhaps three

years is as short a period as could be assigned for the satisfactory accomplishment of so important and difficult a measure. The same address, however, of the house of assembly of Upper Canada, which protests so strongly against a union of the two provinces, will also be found to reflect with some severity on the general tone and spirit of this report of lord Durham, as the following extract will show.

"A document purporting to be the report of her majesty's late high commissioner, contains matter so deeply affecting the social as well as the political relations of all the provinces especially of upper Canada, that it would ill become your committee to pass it over in silence. At this late period of the session, it is impossible to give the statements and opinions advanced by his lordship, the extensive investigation which their importance demands; but your committee will apply themselves with alacrity to vindicate the people of Upper Canada, their government and legislature from charges which imply a want of patriotism and integrity, charges which they know to be unjust, which they did not expect, and which they grieve to find advanced by a nobleman who had been sent to those provinces to heal rather than foment dissensions, and who certainly should have guarded against giving currency to unfounded, mischievous, and illiberal rumours, for the truth of which he admits he is unable to vouch."

We may also observe, that although lord John Russell and her majesty's government thought proper to plead this address of the house of assembly of Upper Canada, as an excuse for not proceeding with their proposed measure; it could not have been in

ignorance of the sentiments of that body, that they had originated that measure, or advised their sovereign to recommend it to both houses of parliament in the message of the 3rd of May. We have subjoined in a note a short despatch which more than a year before was laid before parliament, and which clearly proves not only that the house of assembly of Upper Canada was averse to such a union, but that the ministers themselves were aware of those feelings, and declined to recommend the project to the consideration of parliament.*

On the resumption of the debate on the 13th of June, lord John Russell moved for the withdrawal of the first resolutions, and stated generally the altered views of the government in reference to the principle contained therein. He was still, he said, of opinion, that at some future period such an union should be carried into effect, but in the meanwhile he thought it absolutely necessary, that certain exciting topics should be disposed of by the legislature,

* *Downing Street, 21st April 1837.*

Sir,—I have the honour to acknowledge your despatch No. 96 the 4th ultimo, in which you transmit to me an address to his majesty from the legislative council and house of assembly of Upper Canada, deprecating an union between the two provinces of Upper and Lower Canada. I beg leave to acquaint you, that having laid this address before the king, his majesty has been pleased to receive the same very graciously, and to command me to observe, that the project of an union between the two provinces, has not been contemplated by his majesty as fit to be recommended for the sanction of parliament.

I have the honour, &c.

GAMBLE.

Lieut. Governor Sir F. Head, Bart.

or the scheme would be exposed to very great risk from the irritable state of party feeling in the lower provinces. He therefore proposed to introduce a measure for the temporary continuance of the act of last session for the suspension of the constitution, at the same time amending that act in several particulars. He proposed also to alter the debatable clause authorising the governor to suspend the habeas corpus act. He also proposed to alter the clause known as sir William Follett's clause, and to limit its operation to measures affecting the clergy, or affecting the tenures of land. He would also introduce a clause giving power to impose rates and taxes, not to be paid into the public treasury, but to be applied to such local purposes as watching, and the roads. The powers under the act were to be continued to the governor until March 1842.

With regard to the other bill for the union of the provinces, he thought it might be necessary to change some of its provisions. The bill he would ask to introduce, provided for the establishment of a central district at Montreal and its neighbourhood, where the meetings of the assembly should be held. The other parts of Upper and Lower Canada were to be divided into two districts. There would then be a central district and four other districts. Each of these was to be again sub-divided into nine other districts, so that supposing each division to return two members, there would be altogether ninety members for the different electoral divisions. In addition to these he proposed, that the four largest towns should each return two members, making in the whole ninety-eight.

After a slight discussion between sir Robert Peel, Mr. Charles Bullen, and sir Charles Grey, leave was given to bring in the bill, and to continue and amend the act of the last session, appointing a provisional government.

In the subsequent week a debate took place respecting diplomatic missions, when the expenses of lord Durham were discussed. The house having resolved itself into a committee of supply, and a vote of 70,000*l.* for civil contingencies being proposed, sir S. Canning drew the attention of the committee to the head of "special missions;" and, after calling for explanations of the sums charged for sir C. Vaughan's mission to Constantinople, and the missions of Messrs. Bowring and McGregor, he said there was another item to which he would claim consideration of the committee, he meant the expenses of the earl of Durham in the mission to Canada.

The committee, he said, would scarcely believe unless they saw the estimate, that the expenditure of the noble earl was at the rate of from 50,000*l.* to 55,000*l.* a year. Was it to be contended that the representative of the crown, sent out to a republic, or rather a colony with republican habits, should be required to live in the style of the first noblemen of this country? The personal expenses of the noble earl were, with some deductions 32,000*l.* or 33,000*l.* These, it should be observed, were for a period of eight months, and it should be remembered the noble earl had generously applied 10,000*l.* out of his own private funds for his personal expenses; a fact which further served to show the great amount of the other expenditure for the pe-

riod he had mentioned. In fact, the noble lord must have carried on the mission in a style of Oriental expenditure, which appeared the greater, considering that the noble lord, before he was called to the house of peers, had been a distinguished member of the party in the house of commons which arrogated to itself almost exclusively the merit of economy, and as such had violently denounced the expenditure incurred by the mission of the late Mr. Canning in the embassy to Lisbon.

Mr. Charles Buller said, he was sorry to find the right hon. gentleman bringing back these recollections of by-gone transactions, which were slumbering quietly in *Hansard's Parliamentary Debates*. As to the expenses of lord Durham's mission, he hoped this debate would not go out to Canada, as the people of those provinces, at least those of English origin, would not be flattered by the assertions respecting their republican tastes and habits. But to come to the point. Lord Durham went out as the representative of his sovereign, and as such, had been put to great charges. It should be remembered, that living both in the United States and in the Canadas, was more expensive than in this country, but in lord Durham's progress no superfluous outlay had been incurred. It was necessary to have accommodation for his suite, and in Quebec, it was the practice to let houses by the year certain, in Montreal for two years; so in this respect, the expenditure would be annual, though the occupation was only for six months. Neither at Quebec or Montreal had lord Durham's residence been fitted up at an expenditure beyond the absolute necessity of the case. Many heads

of charge seemed to be altogether overlooked by the gentlemen opposite. One of these was, that of receiving the governors and their suites of all our North American colonies excepting Newfoundland, who came to pay their respects to, and confer with the chief commissioner. To all these it was necessary to extend the hospitality to be expected from the high station and character of the noble earl. There was next the great expense of travelling. The noble earl was obliged to travel 1,500 or 1,600 miles, partly by land, partly by steam-boats, which last mode of conveyance was the cause of heavy expenditure, as the noble lord had to engage the vessels exclusively for the use of himself and his suite. If the whole of these items were taken into account, Mr. Buller insisted it would be found, the expense was not greater than might be expected to be incurred; not merely by a chief governor of several colonies, but even by a governor of a single colony. On the advantages of the mission he would not then stop to dilate; but the expenses of it would be far out-paid by the inquiry into the state of waste lands, alone which, instead of being as heretofore, an object of jobbing, would now become a source of great wealth to the colony.

Mr. Goulburn said, it would be better to give the governor-general a specific amount for his expenses, than to allow him an unlimited power of expenditure, for, however well his discretion might be exercised, the other plan would be more satisfactory to the country.

Mr. Labouchere said, he was released from the necessity of troubling the house after what had passed, with any lengthened statement in explanation of this vote;

not connected as he was with the colonial department, he felt obliged to state that, in his own opinion, as well as in that of the noble lord as the head of the colonial department, this sum was by no means an extravagant one.

It was not until the 4th of July, that lord John Russell moved the order of the day for the second reading of the bill for the temporary government of Lower Canada. Sir George Sinclair first addressed the house and said, that when her majesty on the 6th of February last was pleased to express a wish that the state of her subjects in Upper Canada should form the matter for prompt and early consideration, he little thought a question thus earnestly pressed upon the attention of the house, would have been allowed to cross and recross the ocean, and be three or four times brought forward and then withdrawn, so as at this period of the session, to have only just arrived at a second reading. Such conduct on the part of her majesty's ministers proved them to be incapable of acting as a government, and by their want of decision and firmness, they had forfeited every thing like deference and respect throughout Great Britain and her colonies. Considering also the small fluctuating majorities, varying from ten to two, which supported them in that house, and that in another place they were only supported by a minority, a great portion of whom had been captivated and promoted to that place by themselves—he did not think they were in any respect fit to be entrusted with the guidance of public affairs.

Mr. O'Connell said, he rejoiced that her majesty's government did not wish to pledge the house

to an union of the two provinces, and thought it better that the question had been left for further consideration. The materials for such an union were discordant, and what was to the advantage of the public in the upper province, would act injuriously to the rights and interests of the people of the lower, and would totally annihilate the political power of the French Canadians.

Mr. Charles Buller thought the session should not close without the adoption of some plan for the future government of the Canadas, which however defective, would be less mischievous in its results to the people of those colonies, than the leaving them in doubt both as to their future settlement, and of the opinions of the British parliament upon the subject. He could assure the noble lord that a general belief existed in the Canadas, that their interests were wholly neglected, and if the ministers refused, month after month, and session after session, to give a permanent character to the government, what other opinion could the people entertain? From the state of feeling in Nova Scotia and elsewhere, he believed so far from there existing any difficulty in the scheme of uniting the two provinces, an union of all the North American colonies might easily be effected, and would be the only plan which would be productive of great advantages to the colonies and the mother country. He conceived the French Canadians ought, without delay, to be put in possession of the immunities and rights of British subjects. If the noble lord wished to have the public voice in his favour, he was taking a strange course to secure it.

Mr. Leader disapproved of the
[O]

plan of uniting the two provinces. First, because a majority of the population of both were opposed to the union; and secondly, because if it were effected, the French Canadians would be completely crushed. Mr. Charles Buller had said, they must adopt the language and laws, and he supposed the hon. member meant the religion also of the governing few; a system which was the cause of all the discontent and misery which prevailed in Ireland.

Sir Robert Peel said, he could not believe that any of the plans devised by the legislature could succeed without a cordial union between the two governments of the British provinces and the United States, to put an end to the system which was laying the foundation for hostilities, and which would otherwise not be limited to the border alone. He trusted those elements of discord would not be permitted to ripen. The question however still remained, what was to be done with the Canadas? He did not see any prospect of a decision, as to the mode of government, for the parliament was not now in a better condition to settle that point than it was five years since. Of some portions of the bill he approved; for instance, of the formation of an effective council, to consist whilst the present government continued, of not less than twenty persons—he approved also of the clause which established a check on despotic power; and provided, that in the council there should be a number of persons connected with, and interested in the colony, who were to advise the governor. With regard to the other clauses he should suspend his judgment, and reserve to himself the right to take any

course about them which he might think fit.

Lord J. Russell said, his opinion was still decidedly in favour of an union, but he thought, during the interval which must elapse before its establishment, it was wise and politic to take every means for the improvement of Lower Canada, for encouraging persons of enterprise to lay out their funds in the extension of roads, canals, and other necessary improvements. The bill of last year opposed obstacles to these objects which it would be necessary to remove, and that the present bill he thought would effect.

Mr. Ellis said, the province for the last two years had been in a state of the most distressing inactivity, all commerce was at an end, emigrants could not establish themselves there with a hope of employment in any public work. Many parties were willing to enter into speculations for the establishment of railroads between Upper and Lower Canada, and many were willing to contract with the government to continue the great canals opened by Upper Canada, so as to connect that navigation with the ocean. All these works were necessary to give employment to the population in a country where it was expedient to distract the minds of men from the horrible scenes in which they had been engaged. He therefore hoped Mr. R. Peel before he made up his mind on any of the provisions of the bill, would take into his consideration the deplorable state to which that country would be reduced, if the imperial parliament did not afford some legislative means for promoting industry and carrying on the great works already begun. He rejected, therefore, that the present bill gave further powers in this respect to

the council, and he thought the proposed addition to the members of the council a great improvement, and that it would enable the house safely to entrust that body with the extended powers. After a few observations by sir Charles Grey and Mr. Labouchere, the bill was read a second time.

On the 11th of July, lord John Russell having moved the order of the day for going into a committee of the whole house, sir William Molesworth rose and said, the motion of which he had given notice spoke for itself. The resolution which he should presently move, and the object of which was to declare on the part of the house, that considerations of humanity, justice and sound policy demanded that parliament should apply itself without delay to legislate for the permanent government of the Canadas only gave expression to a truth which every man's conscience must acknowledge. His object in bringing forward this motion was not to persuade the house of that of which they were already convinced; nor could he expect it would induce the noble lord, the member for Stroud, to redeem his promise, that this session should not pass away without legislating for the permanent government of those provinces, for nothing could be expected from the government. Their whole course with regard to the subject, from the beginning of the session, had been a disgraceful shuffle, nor could they with the best intentions, carry any measure without the sanction of the right hon. baronet, the member for Tamworth. It was, therefore, to him the appeal must be made, in order to obtain any practical result from a motion in this house with regard to Canada. Sir W. Moles-

worth then quoted at some length from lord Durham's report, to show the urgent necessity for some immediate legislation on the state of Lower Canada, from the irreconcilable enmity between the contending parties—the entire disaffection of the whole French population—the suspicion with which the English regard the imperial government, and their mutual inclination to seek for redress of their present intolerable evils in the chance of a separation from Great Britain. Nor, if they gave credit to lord Durham, was there a less urgent necessity for promptitude on account of Upper Canada; for although the majority of the inhabitants were loyal, and determined to abide by the decision of the home government, he added, “I cannot but express my belief that this is the last effort of their almost exhausted patience, and that the disappointment of their hopes on the present occasion, will destroy for ever their expectation of obtaining any good result from their British connexion.”

Sir G. Grey rose to reply, and said, he would pursue a more cautious course than the hon. baronet, and would first call the attention of the house to the danger that might arise from the mismanagement of affairs in Canada, which he had never yet seen placed in a sufficiently clear point of view, particularly as regarded the hands into which Canada might fall in case of any thing of this kind unhappily occurring. He would also call the attention of the house to the situation of the gulf of St. Lawrence, and to its importance as a naval station, and how much effect its loss might have on the military importance and commercial existence of this country. It was, in fact, a

Baltic of our own, an inland sea, and only required an outlay of capital and industry, to develop its resources to an extent that might greatly affect the condition of European nations. It was thought by some, that if Canada were dis severed from this country, it would be united with the United States of America; this was by no means a necessary consequence. The annals of past times afforded no single instance in which a mother country had been destroyed by her children, when established in an independent state, if she had bestowed upon them a system of policy and customs resembling those which she herself pursued. Canada would most probably fall into the hands of France, England would not have given up the possession of Canada for two months before a French fleet would be anchored in the waters of St. Lawrence, to protect their ancient subjects, a course which they were almost bound to adopt by the treaty of 1763; and to which they would be further urged by the ancient feelings and recollections with which Frenchmen would naturally regard New France. Mr. C. Buller had recommended the union of the provinces, and had said that the government having once decided on the propriety of that project, should forthwith proceed to execute it. The hon. member was also in favour of a thorough representative system, in which the majority of the whole was to govern. This was not the principle of our representative system even since the reform bill. The majority of the two provinces taken together were Roman Catholics; the existence of the religious endowments in Canada was intimately connected with the preservation of the

French tenures, and the Roman Catholic holders of land only pay tithes; directly Protestants became possessed of the land, the tithe ceased.

The hon. member for Liskeard would abolish the French system of tenure, and it was in consequence of that system, that these lands were not passed from the possession of Roman Catholics to that of Protestants, which change would be inevitable were the system of French tenure abolished.

Sir C. Grey considered it would be madness to attempt to proceed in the present session, to enact a legislative union of the two provinces under existing circumstances. There were two main points to be considered by a wise government, that the Canadas should have a government capable of defending those provinces from foreign invasion, and at the same time capable of quelling internal rebellion. Had the house of assembly of Lower Canada continued to exist, not even a strong military government could have prevented rebellion again from breaking out. The first point he would urge upon the government, was the absolute necessity that nothing should be done contrary to law, to the principles of liberty, and of the British constitution, which were as deeply impressed on the minds of the Canadians, as on the British nation itself. It was also essential to make the rights of property sacred in Canada; that property was earned by their own toil and industry as that of their ancestors, and should be equally respected. The subject of taxation also required great attention—nothing would be more likely to irritate the Canadians in general, and to disincline those of the Upper Pro-

vince to an union, and make them fearful of abandoning the legislature, they as yet retained, than an announcement, that an unlimited power of taxation would be committed to the new government.

Sir Robert Peel said, he should first address himself to the resolution which had been moved by the hon. baronet as an amendment to the house going into committee on the Canada bill, the principle of which was to declare, that the house should immediately apply itself to the consideration of the affairs of Canada, he then commented on the abandonment of all intention to legislate on the part of the government. That it was essential a full statement should be made from the opposite side of the house, of what they proposed to do for the settlement of this question, and if an union of the provinces was seriously contemplated, he wished the measure might be explained with full and distinct details, and also with some assurance that it would be satisfactory to the people of the Canadas. He wished the advice he had given three years ago, had been taken, to go into a committee of the whole house, for the purpose of ascertaining the sentiments of the people of Canada, with respect to an union of the provinces. There were two people speaking different languages, with different laws and customs, and it was necessary to ascertain, what was to be the security under any future government for the party in the minority. He had no implicit confidence at any time in the wisdom of a majority, and immediately after the forcible suppression of an insurrection, there was less ground for faith in the wisdom and moderation of the triumphant

party. It was an absolutely necessary precaution with a view of rendering Canada a thoroughly British colony. They should take some effectual guarantee that the present majority in one of the provinces should not be exposed to injustice, when by an union it would become the minority. Sir C. Grey had undertaken to convince them, they were wrong in thinking no advances had been made towards a settlement, but what was the right hon. gentleman's proof? The first advance in his opinion was the establishment of a despotism, of a strong and arbitrary government. But how far this helped them to a settlement he (Sir Robert Peel) did not think the documentary evidence in existence, even including the fruits of the right hon. gentleman's own labours as a commissioner, was sufficient to enable them to ascertain. He thought indeed the right hon. and learned gentleman must be himself of this opinion, as the only satisfaction he had afforded them was, that after having been so long tossed by the tempest, they were at length happily settled on a rock in the midst of the sea—rather a poor comfort to afflicted mariners in so hopeless a plight. Sir R. Peel then went on to consider seriatim the arguments and suggestions of Sir G. Grey, and at the same time threw out some views of his own, respecting the general character of the measure. He certainly thought from the declaration of the government, that it had been intended to extend the period of the existing bill for a short time, on account of some difficulties which it was anticipated might arise suddenly, from the expiration of the act in

1840. He thought some additional powers would have been given to the governor and special council, the want of which at present threw great obstacles in the way of certain local improvements. He thought too in consequence of the clause introduced in the act of last year, preventing the provisional government from altering any law of the imperial parliament, considerable practical embarrassment had arisen, and he was of opinion, that such an extension of power should be given to the provisional government, as would enable it to preserve the public peace, and to repel aggressions. He was certainly glad to find it was not intended to extend the duration of the act of last year, which would expire on the 1st of Nov. 1840; and that her majesty's ministers did not consider necessary at present to renew it, but were content to propose its renewal, should it appear to be so during the next session. The present bill did not provide for the extension of the period for which the provisional government was to endure. Unless renewed in the course of the next session, the act of last year would expire on the 1st of November 1840. But the bill before the house proposed, that the ordinances of the provisional government which would under the existing act expire in 1842, might under certain circumstances have a more permanent duration; no change was to be made in the period for which the provisional government itself was to exist, and this part of the bill was not intended to be altered. It was proposed, that the ordinances of the provisional government, should have in certain cases a longer duration, than 1842, but not that

there should be any extension of the period, during which that government itself was to continue.

The second point to which sir Robert said he wished to call the attention of the house was the third clause in the bill, which contained much more extensive powers of taxation, than he thought were at present contemplated by the house. First let them consider the restrictions upon the taxing power imposed on the provisional government itself. By the act of last year, the governor and special council, had not power to impose any tax or rate, save only as far as concerned the continuance of any tax or rate payable within the province at the time of the passing of the act. The bill before the house, proposed to repeal the restrictions imposed by the act of last session, and to permit the levy of any tax or imposts within the province to any amount, without any restriction, excepting that the proceeds to such tax should be applied to local improvements within the province; there was added this provision, "That no such new tax, rates, duty, impost, shall be levied by, or made payable to, the receiver-general, or any other public officer of her majesty's revenue in the said province, nor shall any such law or ordinance as aforesaid, provide for the appropriation of any such new, tax, rate, duty, or impost, by the said governor either with or without the advice of the executive council of the said province, or by the commissioners of her Majesty's treasury, or by any other officer of the Crown." He begged to call the attention of the house to this point, they removed the restriction, namely, that no tax should be imposed by the go-

vernor and council, except the continuance of an existing tax, and they gave the governor and special council power or unlimited taxation for local improvements.

After a variety of objections in detail to the proposed bill, especially to the clauses relating to municipal government, sir Robert Peel concluded by saying he would not undertake the modification of those clauses according to his own views, not having that information which was absolutely necessary to execute that task, but he trusted the government, taking all the powers that were necessary for specific local improvements, and for maintaining the public welfare, would impose some limitations on the extensive powers that were proposed to be given by this bill.

Lord John Russell in reply to sir Robert Peel said, it appeared to him they must proceed with respect to Canada on one of two principles, either upon that of the bill of Mr. Pitt in 1791, namely, of separating the two provinces, or upon the principle of uniting them. Should they act upon the principle of separation, they could not effect it so as to make a French province and an English province, the consequence therefore would be constant collision between the two populations. Having thus separated the provinces, considering the peculiarity of the French tenure and the state of the Roman Catholic church, it would be difficult to decide in what manner to constitute the supreme authority. Were it despotic their subjects in that part of North America would not long quietly acquiesce in that species of arbitrary authority, as it was neither in harmony with the system established in this country, under which they had so long lived, nor

with that of the neighbouring provinces. They would naturally demand, and in the end would no doubt obtain, the establishment of the house of assembly, and of a representation founded on those principles of freedom to which the people of England were long accustomed. The establishment of such a government would instantly revive the difficulties between the French and British races. The French and the British sitting in the same house of assembly; the English minority would urge every thing that would lead to improvement, whilst the French majority, in order to preserve their power, would discountenance all changes in the law, all commerce and emigration, and as far as possible obstruct the improvement of the province. Upon a consideration of these different modes of government, he had come to the conclusion that the best plan would be to lay the foundation of a system, by which naturally, in the course of event, the representatives of the British population should acquire a predominant influence in the popular assembly. The difficulty of carrying this principle into effect was no doubt very great; but still he felt convinced this proposition afforded the best chance of maintaining undisturbed the connection with the authority of the British crown, and securing the permanent welfare of the people of those provinces.

Mr. Charles Buller said, he was inclined to concur in the objections to the 4th clause, as the subject of a change of tenure greatly affected the properties of the people of Lower Canada, and had unfortunately been one of the most recent causes of dispute between the two races. If they gave

the governor and special council the power of legislating on these tenures, it would excite a justifiable alarm, that this special council, composed of their political opponents, would exercise their power to produce a general change, which they had been so long struggling to prevent.

Lord John Russell had said, that the power was given in order to meet the exigency that occurred in the district of Montreal; but two or three such exigencies might arise in other parts of the province, namely, cases where the property was burthened with a disputed title, and the government made the change of tenure contingent upon a recognition of the title. He anticipated evil from the general indisposition of the house to do what he held to be its first duty; viz., to consider fairly the present state of the colonies, and the whole of our colonial policy, at the same time to determine upon what principle that policy was henceforth to be conducted, and also to make those extensive changes in the system which must be suggested by calm deliberation on the working of the present order of things. He dreaded the continued ignorance of the real state of affairs which this aversion to discussion was calculated to produce among themselves, and he apprehended when they could no longer defer the moment of decision, their views would be as unsettled, and their information as incomplete, as at the present moment. While the gentlemen opposite (the conservative party), acting on principles which appeared to him the most immoral ever avowed by an opposition, pledging themselves to no system, thought their functions were discharged by

the exercise of a perverse ingenuity in discrediting and thwarting every plan proposed by the government, while the government instead of meeting this factious hostility with the vigour which would quell it in a moment, instead of gravely maturing and boldly proposing large and sound measures, and trusting to the good feeling and sense of the country to ensure their success, and scatter to the wind any party which should dare to thwart them in such a course, attempted on the contrary to evade the criticism of its measures by offering no measures to be criticised—whilst such, he said, was the discreditable game of parties, the great colonial empire of Britain was crumbling to pieces on every side, and they were involving in certain ruin the dearest interests of thousands and millions of their countrymen. He did not think colonies useless to a state; to plant them in the wilderness, to turn the unemployed resources of nature to account, and to provide a competence for our own population—to raise up new branches of trade, and new nations of customers, appeared to him a wise and noble policy in a great people. If we maintained colonies for these purposes, and gave up the old policy of dividing in order to govern, he did not see why these colonies might not long remain under the protection of Great Britain, and be a source of unmingled good. It would be necessary for this purpose to abandon every notion of making them nests of aristocratic patronage, as well as every antiquated scheme for regulating trade. If such ideas were given up, he did not see what course for collision could ever arise between the colonies and the mother country.

Mr. Labouchere entreated the house not to be induced by any idle jealousy of the powers to be intrusted to the local government, to abstain from giving it the means which were necessary to carry into execution the arduous task which had lately been thrown upon it, and which it had hitherto so ably discharged. He also implored them not to withhold from the local government the power of making any laws of a permanent character. Already there was a great demand on the part of the colonists, for a law to provide for a better tenure of lands, for all the colonies concurred in declaring that public confidence had been so completely overthrown by the present unhappy state of affairs, that transactions relating to property were to a great extent suspended or carried on under serious disadvantages.

Sir E. Sugden and Mr. Hume briefly addressed the house, and a division then took place on the original motion, Ayes 223 ; Noes 28 : Majority 195. The house then went into committee. On the first clause being proposed, Mr. Hume objected to the increased number of councillors as only making an addition to despotism ; this objection was not however pressed to a division, but the committee divided on the clause, when there appeared in favour of it 272, against it 15.

Mr. Labouchere in moving the second clause, said, he intended to add a proviso, that laws or ordinances might be made by the governor which should continue in force beyond the first of November 1840, such laws and ordinances not however to have effect, without being previously laid before parliament.

Lord Stanley strongly objected to the clause as enlarging the extraordinary powers already granted to the governor and council, and after much discussion the house divided—for the clause 176, against it 156.

On the fourth clause being proposed, sir R. Peel moved an amendment to prevent any alteration in the law of tenures, which, after some opposition from lord Howick, was agreed to. The remaining clauses were then passed, and the report of the committee was ordered to be received on the following Monday.

About a fortnight afterwards, this bill was discussed in the house of lords. It was brought forward on the 20th of July, by the marquess of Normanby, who rose and said, that in addressing their lordships on the government of Lower Canada, it was his intention to confine himself to the immediate subjects of the bill, and an explanation of its intentions. The evils felt from the cession of the regular constitutional government of that colony had arisen from the inefficiency and want of power of the present government. Other noble lords would feel that a departure from the regular form of government could only be justified by extraordinary circumstances. If it was found necessary to continue the present act for the suspension of the constitution, they should not cripple the government so that it could not be productive of good to the people. The present act for the temporary administration of Canada was brought in just after the suppression of one revolution and the breaking out of another, and it was thought necessary that the forms of the legislature should be dispensed with, and

that the governor in council should be enabled to make laws. The first alteration made by the present bill was to declare that the number of the special council should not be less than twenty, eleven of whom should be a quorum ; and the next was to propose to give a more permanent character to the acts passed by the special council. On this subject, he would quote the opinion of sir John Colborne, who in a despatch to lord Glenelg, dated Jan. 31st, 1839, says. "I beg leave to state to your lordships, that I am persuaded the most important remedial measures required in the present state of the country are those which would tend to the re-construction and enlargement of the judicature, to the establishment of registry offices, to the abolition of the *lods et ventes*, particularly in towns, and the other oppressive incidents of the feudal tenure, not forgetting the continuation of local improvements, and the introduction of a system of district police. With returning tranquillity it is justly expected that the measures to which I advert will be speedily carried into effect, preparatory to changes of a more difficult nature, which may be proposed for the permanent government of this province." This referred to the necessity of giving a degree of permanence to the enactments passed previous to the re-establishment of a fixed government there. In a subsequent despatch dated March 15th, sir J. Colborne said, "I have adverted in my despatch of 31st January, No. 4, to the benefits of extending the system of police which has been introduced into the cities of Quebec and Montreal and into the rural districts. The continuance, however, of the police already established must depend

on the enlargement of the powers of the special council, which can alone adequately provide for its support. Among other measures connected with local improvements which must be deferred till the special council is invested with authority to raise loans applied for by lord Durham, are the establishment of inferior tribunals in every district for the summary trial of petty offences, which may obviate the inconvenience of bringing complainants and witnesses from remote distances, and the erection of court houses and gaols. Whatever may be the restrictions it might be deemed expedient to impose upon the exercise of the required important power by the special council, I cannot but express my opinion, that to promote the future tranquillity of the province, and to deprive the influential factious individuals of their dangerous control in several sections of this province, the speedy concession of this additional power is indispensable."

The next provision of the bill had reference to taxation, Lord Normanby said he would not lose sight of the evil attending any attempt to bestow power of general taxation. The restrictions now imposed on the functions of the special council, ought to be removed to the extent of allowing it to levy tolls and taxes for certain local purposes which were now totally neglected in consequence of the want of any permanent regulation. The present state of the finances of Lower Canada, offered nothing of the kind ; in the existing circumstances, it was impossible to provide for any of these objects. By a return of the revenues of Lower Canada from 1833 to 1838 it appeared there had

been from year to year a great reduction; in 1833, the gross amount of revenue was 212,971*l.* and of net revenue 147,712*l.*; in 1838, the gross amount was 146,079*l.*, and the net amount 96,547*l.* In 1833, the expenditure was 134,621*l.*, and in 1838, (including 94,174*l.*, repayment of part of loan from the imperial treasury), it was 224,050*l.*; the balance in hand January, 1839, was 5,381*l.* Upon an analysis of the different sources of revenue, it appeared that one lamentable result of the recent disturbances had been a great reduction in the revenue on all excisable articles. Another alteration in the measure was that which related to the restriction upon the special council from interfering in any respect with any British statute introduced into Lower Canada.

The noble lord then alluded to lord Durham's report in terms of high panegyric, but was compelled to differ from the theory laid down in it of a responsible government. He had himself had some experience in colonial government, and he did not see how a government could act under the species of doubt and responsibility which the plan of the noble Earl presumed. In what position would a governor be placed who would be bound to obey instructions from the home government, and at the same time to act in accordance with the expressed opinion of the representative body of the colony, in the event of a conflict of opinions between the two.

The government, then, feeling themselves unable to adopt the principles laid down by the noble earl, in his report, had three courses pointed out to them for the settlement of affairs in Lower

Canada, first, the restoration of the old assembly of Lower Canada as far as was possible, when many of its members had subjected themselves to attainder, and would, therefore, be unable to resume their functions, with the old majority devoted to the French Canadian interest. A scheme which was evidently impracticable. The second plan was equally objectionable although on different grounds; it consisted in a proposition to obtain a system of representation favourable to the government by means of a species of juggle to be resorted to in the organization. There remained, in consequence, but one other plan at all practicable which consisted in an union with the other province. Lord Normanby could not conclude without adverting to an impression which had gone abroad that it was intended there should be no legislation for the Canadas until 1842, which was perfectly unfounded. The only reason it was thought desirable to defer any direct legislation on that subject, was the hope, that the social condition of Lower Canada would in the course of time, become such as to render it a more easy task to amalgamate that province with Upper Canada.

Lord Brougham said, the part taken by him in the various discussions as to this important colony might lead their lordships to expect that a bill of this nature could not pass through even its first stage without compelling him to impress upon their lordships, his own peculiar views on this subject. He would first bring before them a grave charge against the government, in respect of the manner in which they had dealt with this subject. He was not

surprised at the noble marquess wishing to avoid all unpleasant and controverted topics, and to eschew all matter that might give rise to charge and recrimination. That noble lord and his colleagues were perfectly sensible how much their course of proceeding required explanation, and should they succeed in defending it, after the dates and facts brought in contrast with their conduct before that house, they would certainly prove abler and luckier men than he had ever supposed them to be. It was asked to suspend the constitution of Canada, to put a stop to the representative government, to annul the legislative acts passed by the people's representatives, to thwart the almost unanimous desire of the people of the province—it was also asked to appoint the absolute government of a dictator, in place of the constitutional government which had before existed, analogous with the mode of government, by king, lords, and commons.

All these demands were granted for their lordships, and the parliament refused nothing to the crown, and he apprehended, that they did so on the supposition that the necessity for the suspension of the constitution, and the appointment of an absolute government in its place, had been clearly proved. When the government met the parliament, in February, the first speech of the session, the speech delivered from the throne, called upon parliament immediately to exercise its wisdom in the serious consideration of this important subject—months passed away—the noble marquess had said it was not until June that anything came over from the co-

lony to interrupt the proceedings adopted by the government for providing for the wants of the province. But what had happened between February and June? Had March fallen out of calculation? Had April ceased to exist in the calendar? And was May no longer to be found in the history of the session? Or why were these months suffered to elapse before a vestige of excuse was given for the inaction on the part of the government. During the whole of that time, the only step taken was on the 3rd of May, when a message from the crown came down calling upon parliament without further delay to apply their minds to the subject of Canada. Lord Brougham said, he then came to one of the most unprecedented proceedings which had ever been found in the history of a legislature. The ministers in the other house came down first with one bill, then with another; it was then stated one bill was to be pressed and not the other, and then there was a doubt whether either should be pressed. Finally, it was resolved one only should be pressed, and the other be put off for the year. Now on these facts and dates the noble marquess had founded his explanatory address, consisting of a sort of history of the course taken by government. Lord Brougham said, he was clearly of opinion, that government had abandoned its duty on the Canadian affairs, that it had not redeemed the virtual pledge given from the throne, nor the specific pledge given in the royal message, and that the measures it had framed and adopted on the 3rd of May had not been brought forward. Acting thus, it was undeserving of the name of government, it might possess the

emoluments and patronage, but it had none of the substance of a government. The noble and learned Lord now came to the subject of the ballot. There was nothing said in the Canada bill as to how the votes were to be taken. What would their lordships say at finding the ballot introduced for that purpose? that it had been made an open question by the ministers of the crown—by a cabinet which professed to repudiate the ballot, and which seeking to reject it altogether, lent it on that occasion the full support of its own venerable authority, modestly supposing the more energetically it was supported by them, the more certainly would it be rejected by the rest of mankind.

Were the ballot once established in Canada it could never be repealed. The assembly called into existence by the ballot would never repeal it, and having been once made an open question in this country, no majority, however narrow, of the house of commons, would consent to it either. Finally, he besought their lordships not to give to any men the power of inflicting upon the people of Canada by their dictatorial laws, either the horrors of unmitigated despotism, or such wild anarchy and confusion as must be painful to all lovers of peace and good order to contemplate. Nothing but a necessity the most imperious could justify the creation of such a dictatorship as that which this bill would form, and when that necessity ceased, the dictatorship should be at an end also. He committed the case to their lordships, and he knew to them he should not appeal in vain against what he held to be a departure from all principle, and an inroad upon all free-

dom, compared with which the original measure itself was both merciful and constitutional.

Lord Melbourne said, he thought his noble and learned friend had thrown away much energy and eloquence in proving that which nobody denied, namely that it was most desirable that government should proceed as soon as possible to legislate for Canada. It was clearly most desirable to frame such a measure as would heal the wounds and bring to an end the dissensions of that country, and to re-establish as speedily as possible that representative constitution without which no degree of prosperity or attachment to the mother country could be hoped for. The course which they had been about to pursue had proved to be unsatisfactory to the colonists themselves, which was an imperative reason for stopping immediate legislation and taking more time for consideration. So far from the ministers having merited blame for the delay which had taken place, they would have acted most imprudently had they followed any other course. Had they hurried on this measure at the beginning of the session, they might possibly have brought it to a settlement, but to such an one as would only have been the beginning of new difficulties and discontents.

The duke of Wellington said, he had not been surprised at the delay in introducing a measure for the settlement of Canadian affairs, and was convinced the subject even at that moment was not ripe for decision. The province of Lower Canada was still in a state of rebellion. The utmost that under such circumstances could be done for the government of the province would be to support the military

authority by something of legal sanction. In the first instance, ministers should have advised the queen to declare her intention to maintain her sovereignty and authority within that province. They had attempted to carry on their operations with a reduced peace establishment, the consequence of which was that neither the neighbouring powers, nor the world at large, had believed they were in earnest in the measures they were pursuing. Hence it resulted that after two campaigns they were in exactly the same situation as when they commenced. In consequence of their attempting to carry on two wars, one in Asia and another in America, besides military operations in different parts of the world, upon a reduced peace establishment, they were starving both their war service, and their peace service. He earnestly recommended their lordships not to be in a hurry to make alterations in the bill, but leave to the government all the responsibility which belonged to them for this and any other measure they might introduce, in order to bring those matters to a conclusion. But he would tell the government once more that all their efforts were unavailing, unless they first declared their intention to establish her majesty's authority, and formed a fleet and army accordingly.

Lord Durham assured the noble duke he agreed with him as to the necessity of having a very large military force in Canada. He also concurred in the approbation the noble duke had expressed of the services of the volunteers and militia of Canada, who were entitled to the deepest gratitude of this country. With regard to an union of the provinces, he had in the report laid

before their lordships expressed his opinion, and he thought the course which had been followed in postponing the consideration of any measure for effecting that object was a wise one.

The people of the colony had a perfect right to express their opinions upon a measure so important, and the postponement of that measure would give great satisfaction to the lower provinces. Government ought not to act precipitately but it was only fair the ministers of the crown should state their intentions as early as possible, in order to ascertain the opinions of the people of Upper Canada with respect to the measures they might deem it advisable to adopt. With regard to Lower Canada, they could not have the opinion of the representative body, the functions of the house of assembly having been suspended; but they might have that of the best educated part of the population, the British inhabitants of Lower Canada, whose loyalty and devotion gave them a just claim to be consulted. He trusted, that during the recess, the opinions of the Canadian people, would be fully ascertained, and as early as possible in the next session, a well digested measure would be brought forward, such as would meet with the approbation of the colony, with that of parliament, and of the country, such as would conduce to the advantage of Canada, and honour and prosperity of England. After a few observations from lord Gosford and lord Fitzwilliam, the bill as amended by the commons was passed, and thus ended all attempts to legislate for the Canadas in the session of 1839.

It must be confessed that this was, on the whole, a very unmat-

factory termination to the labours of the parliament, and we scarcely ever remember such great expectations formed on the commencement of a session, being followed by so complete a disappointment in the results. The extraordinary state of parties in reference to this question, or rather the relative position to each other in the house of lords, of the most distinguished members in that house, the prime minister, lord Glenelg, lord Brougham, and lord Durham—all it might have been fairly presumed, ready to attack each other, and defend their respective views and opinions—the very critical state of the Canadas—the unparalleled circumstances attending lord Durham's mission—the ordinances framed by him—his hasty resignation—his return before his resignation had been accepted by his sovereign—his most extraordinary proclamation on leaving the colony—all these circumstances seemed calculated to excite the liveliest discussions, and to call for the most rigid inquiry on the part of the imperial legislature in this country. Yet strange to say, the whole question was smothered or hushed up, with what appeared a sort of general understanding, that no one should moot or disturb it. Both whigs and conservatives stood patiently in mute silence, regarding each other as if each was waiting for the other to commence the action.

We cannot better conclude our observations on this subject than with an extract from the able speech, in which lord Lyndhurst reviewed the proceedings of the session. He there gives this brief summary of the policy of the government, in respect of our North American possessions; and certain

allowance being made for the prejudices of a chief leader of a party, it will be found to contain a just and true account of the matter.

"We all felt that nothing could be more pressing and more urgent than the necessity for taking that most important subject into consideration early in the session. We felt, that every hour's delay, and what has since occurred, has confirmed the justice of our opinion, would add to the difficulty of the subject. Noble lords hastened up to this house from all parts of the country and the continent, anxious to be present at the earliest moment of the discussion of these important measures.

"But nothing was done, no measure was even submitted for consideration. A few conversations of a personal nature took place, and thus the matter ended. At length, however, at an advanced period of the session, we were told that the plan for settling the Canadas was matured; the plan came forth; a constitution was to be formed for the two provinces which were to be united in one; this plan, however, was not to come into effect till after the expiration of the three years, in 1842. The temporary government was to be continued until that time, and thus it became necessary, as a matter of course, from the extension of the duration of the temporary government, that further powers should be given to it particularly with a view to provide for local improvements. Thus the affair rested and continued some time in suspense. Intimation, however, was given, that these measures proposed by ministers would meet with opposition. It was ascertained that the opposition would be of a vigorous character, and the

whole scheme was suddenly abandoned. We were told it was abandoned in consequence of information recently received from Canada. What the information was has never been communicated to your lordships or the other house of parliament, and any person who will take the pains to trace the proceedings in Canada for the last six months, will find no alteration had occurred in the state of things in that country which could have any influence on this measure. With the bill fell also the other part of the scheme which was to continue the temporary government for a period of three years. But then it was necessary, that something should be done, that there should at least be the appearance of legislating for Canada. Therefore it was that bill—that fragment of a measure, which passed the other house of parliament, was brought up and submitted to your consideration. But so little importance did her majesty's ministers attach to it, that the noble lord who had the conduct

of the bill in this house was unacquainted with the provisions and the effects of them, and utterly unable to explain them to your lordships. It would, of course, have been desirable if the temporary government of Canada had been prolonged for three years, to give extended powers to the governor for the purpose of providing for local improvements, but when that plan was abandoned, such necessity no longer existed, and in fact, as the bill is now framed, nothing effectual can be done under it, until next spring, at which time your lordships *must* legislate for Canada because, in the course of the year, the powers of the governor under the former bill will expire. The bill was, therefore, idle and unnecessary, and was obviously introduced merely for the purpose of making a show of legislating. So much for the redemption of this pledge. So much for the conduct of her majesty's government, on this grave and important subject, the settlement of the affairs of Canada."

CHAPTER IX.

Second Jamaica Bill—Provisions explained by Mr. Labouchere—Observations of Sir R. Peel—Lord John Russell's Retort—Mr. Hume, Sir C. Grey, Mr. Labouchere—Debate in Committee on Sir E. Sugden's Amendment—Speech of Mr. Labouchere, Mr. Gladstone, Mr. Goulburn—Mr. Sheil—Amendment lost—Sir Robert Peel divides the House on the Clause after the Third Reading—Second Reading in the House of Lords—Observations of several Peers—In Committee—Lord Lyndhurst moves the omission of the First Clause—Lord Glenelg defends his own Proceedings—Apparent Disappointment of the Marquis of Normanby—Speech of Lord Brougham—Vehement Reply of Lord Melbourne—Clause expunged—Lord Harewood's Suggestion—Lord Brougham's Amendment upon the Second Clause—Opposed by Lord Melbourne, and Defeated—Observations of Lord Brougham—Bill passed, and sent back to the Commons—who agree to the alterations—Malta—Address moved by Lord Brougham for Disallowing the Ordinance—Motion of Lord Ripon—Mr. Ward's Resolutions on Colonial Lands.

BEFORE we conclude our account of the proceedings of parliament with respect to colonial legislation for the present year, we must advert to the line taken by the ministers in the disposal of their unfortunate Jamaica bill. Their position in regard to this matter, on their resumption of their official situations was one of peculiar—we had almost said of humiliating—embarrassment. They had openly declared that they felt themselves compelled by a sense of honour and duty to resign their offices, on finding that the house of commons was not disposed to concur in the line of policy which they considered it necessary to adopt on this important subject; yet, in the face of

that declaration, they had submitted to resume the responsibilities of government, and were now obliged to bring forward such a measure for the arrangement of the affairs of Jamaica as the house of commons were likely to consent to, however directly contradictory in its provisions to their own recorded convictions of what was demanded by the imperious exigencies of the case. The humiliation, however, was not altogether a new one to the present cabinet; and, accordingly, they went through the trial with less difficulty than might have been apprehended.

On laying the second measure before the house on the 30th of May, Mr. Labouchere observed, that the

[P]

alterations exhibited in its principal features had not been introduced in consequence of any change of opinion; he felt, on the contrary, but little faith in the present experiment, but the former measure had been rendered ineffectual for any practical purpose by the pertinacious resistance of the party opposite,—a tenour of action, he would take leave to say, which could not be adopted in cases of colonial policy without great and serious mischief.

The right hon. gentleman then proceeded to explain, that in the present bill it was proposed to call together once more the colonial assembly, in order to allow them what had been termed a *locus penitentiæ*. The assembly, it was well known, had themselves represented the necessity of ameliorating the existing laws regarding vagrancy, the relation between master and servant, unauthorized occupation of land, together with the state of the militia, and the electoral qualification; no fewer, moreover, than seventeen annual acts of importance had been suffered to expire, in many cases, to the serious prejudice of the colony, which depended upon them for the maintenance of the police and other institutions, as well as for the funds required for its domestic administration.

The first clause of the bill related to those matters which did not fall under the head of expired enactments—the subjects, in particular, of vagrancy, contracts, and squatting. With reference to these questions, orders had been already transmitted to the crown colonies, and were now in successful operation. To them the assembly of Jamaica would be referred, with injunctions to legislate, not indeed according to the letter, but in conformity with the spirit of their provisions.

Should they fail to do so to such an extent that the governor could not with propriety give his sanction, it would then be competent for him with the aid of his council, after a certain interval, to make the requisite laws, *mutatis mutandis*, upon the models which had before been indicated. The object of the second clause was to leave a certain time to the Assembly for re-enacting the seventeen annual laws, and to invest the governor in council with authority to renew them, in the event of the colonial legislature failing to do so.

Sir Robert Peel, who declined offering any opinion upon the merits of the bill in its present stage, adverted to the terms in which Mr. Labouchere had deprecated party feeling. He fully admitted, that it would be unfair to oppose a government for the sole purpose of embarrassing its proceedings on a mere colonial question, and still more so on one where the interests of the newly emancipated population were concerned. If, however, he with his friends, were *bonâ fide* of opinion that the alleged grounds were not sufficient to justify the suspension of a constitution, they were surely equally warranted with the government in taking their own course, and when that was once adopted, party tactics would necessarily come into play, and the fullest procurable attendance would be mustered on either side. Mr. Labouchere would also do well to bear in mind that in the division against the bill were included not only the conservative party, but no less than ten of his own adherents. [This reminiscence called forth a shout from the opposition, and a sardonic cheer on the ministerial side, proceeding, it is believed from lord Howick.]

"The noble lord," (continued sir Robert Peel, who generally finds his account in an interruption) "the noble lord is, of course, entitled to give a sneer and an answer for his own friends, though not for mine; and we will take it therefore, if he will have it so, that his ten friends do act on party views, while ours do not. [*cheers again from the Opposition.*] Where these charges of party are made, the whole question turns on the sincerity of the proceeding; and as I was sincere, I resolved that my opposition should be a real and not a merely nominal one."

Lord John Russell admitted that it was quite competent for the right hon. baronet to proclaim his hostility to the recent measure, and secure the general attendance of his supporters. But this admission did not go to justify the mode of treatment adopted towards certain of the friends of sir Robert deeply interested in Jamaica, who had been induced for party purposes, to withdraw the opinions which they had previously communicated to government.

Being now in the vein of invective, lord John proceeded to rate the conservative body for having descended from their higher policy of declining the aid of the radicals, to seek, by an unwonted appeal to liberal principles, the support of those whose objection to the government was simply the insufficiency of its reforms. The member for Tamworth, he contended, had acted in a manner not only unusual in party warfare, but at variance with his own declarations.

Mr. Hume desired to know upon what pretence the government complained that nothing had been done by the Assembly, when they had not sent any answer to the

inquiry conveyed in their fourth resolution? No better case had, in his opinion, been established for this bill than had been made out by the former measure.

Here the debate would naturally have closed, and members began to leave the house; but sir Charles Grey who had given notice of a clause to be ingrafted upon the old Jamaica bill, which was not brought forward in consequence of the abandonment of that measure, seized the present occasion of delivering his sentiments at some length upon the general state of West-Indian societies.

Mr. Labouchere then rose, and excused the government for having sent no reply to the Assembly's inquiry, upon the plea that it was not possible to give an answer before parliament had decided upon the course to be pursued. The discussion was concluded by sir Edward Sugden, who stated that he had read with attention every document on the Jamaica question, and although he had set out with no little prejudice against the planters, so greatly had his opinion altered in the process of perusal, that in the event of his friends pursuing a different line from that which they had actually decided upon, he should have felt himself obliged to vote in opposition to them. Notwithstanding the precedent of Canada, he did not take the suspension of a constitution to be quite so much a matter of course as the government appeared to regard it. The bill was brought in.

The house went in to committee upon it on the 10th of June. The task of conducting the opposition seemed on this occasion to have fallen into the hands of sir Edward Sugden, who opened the deliberations by a proposal to omit the first clause

of the bill, which empowered the governor in council to make ordinances with reference to vagrancy, service, and squatting, in the event of the Assembly neglecting to legislate upon these three subjects in a satisfactory manner by a certain time. The right hon. and learned gentleman went at some length into the leading topics connected with the previous bill, and then proceeded to dissect with considerable acuteness the provisions of that which was before the house.

Mr. Labouchere declined to renew the battle over the dead body of the abandoned bill, and addressed himself to the matter in debate. It appeared, said the right hon. gentleman, that the main objection was to be raised against the first clause. But as Mr. Burge, the accredited agent of Jamaica, had made his principal complaint against the second, which sir E. Sugden had admitted to be necessary, was it not clear that the sacrifice of clause 1, would not procure the concurrence of the Assembly in clause 2, or restore harmony between the two countries?

The satisfactory manner in which the orders in council had worked in the crown colonies, very much removed any apprehension which might be suggested by the difficulty of making laws for a distant dependency. It was expedient to exhibit steadiness in legislation, and not to deal strictly with our colonies when an anti-slavery enthusiasm prevailed at home, while we showed ourselves remiss upon the removal of such external stimulus, or our enactments would come in the end to be regarded as the result of popular excitement rather than as the work of deliberate judgment.

Mr. Gladstone was supported

by the significant acclamations of his party, when he assured the right hon. the under secretary, of his full agreement in the necessity for exhibiting steadiness in legislation. He also agreed that the imperial parliament had the right to interpose, and whenever an opportunity of legislating for itself should have been once given and neglected by the colonial assembly, he would assent to the interference of the mother country. That occasion was not presented by the present bill, nor was it moreover possible for them to exercise any satisfactory deliberation in the interval between the passing of the measure, which would hardly reach Jamaica before the end of August, and the first of October, which was the date fixed for superseding the colonial parliament in default of its having adopted the requisite regulations before that day. Why was Jamaica to be singled out for this especial purpose?

Mr. Goulburn took still more decided ground. The present bill differed but little from the former one, and, in his opinion, only differed for the worse, for it offered a premium to the council for disapproving of the acts of the Assembly, in order that it might itself acquire the power of legislating in its place.

Mr. Sheil was at first heard with attention, in the expectation, perhaps, of some oratorical movement, but he shortly lost the favour and patience of his auditory, who began to suspect that he was speaking against time. The impatience of the house soon became universal, and he sat down amid clamours for the question.

The house divided upon the 1st clause at the premature hour of half-past ten, when the numbers

were declared to be for 228; against 194: majority 34. This result was received with great cheering from the ministerial benches. The conservatives who were not prepared for the division, which took place at an earlier moment than what had been expected, offered no further opposition to the bill in committee, but sir Robert Peel gave notice that he would again divide the house on the same clause after the third reading.

The order of the day was moved for the third reading on the 19th of June. After some observations on the part of Mr. Hume, which were replied to by lord John Russell. Mr. Labouchere stated, that the time left to the Assembly for deliberation, could be extended from the 1st to the 15th of October.

The bill was then read without opposition.

Mr. Goulburn now rose to move the omission of the 1st clause, and received the further countenance of Mr. Hume for his amendment. It was remarked by lord John Russell, that while Mr. Burge had directed his observations against the second clause of the bill, which involved the constitutional privilege, the opponents of the measure in the house of commons laid the greatest stress on the former clause which did not at all interfere with the constitutional privileges of the Assembly. The rejection of that clause would indeed prevent any useful legislation on the subjects embraced by its provisions, but the constitutional difficulty still rested on the second section.

Sir Robert Peel arose amid loud cries of "divide." I would readily give way, (exclaimed the right hon. baronet,) if it were becoming for the house for me to do so, but

I fear you are about to place yourselves in a discreditable predicament, and to give just grounds of complaint to the Assembly. You say to the colonial parliament, unless you pass these most important laws relating to your domestic administration—and we give you six weeks to do it in—you shall be superseded, and the governor in council shall exercise your functions. I ask you, said sir Robert, whether you consider it to be at all decorous to make such a proposition? Look at your own proceedings with respect to church-rates, Irish tithes, joint-stock banks, and legislation for Canada—you postponed every practical measure for Canada till 1842—and tell me whether you think it a decorous course to say to the colonial legislature of Jamaica, unless you pass some most important bills in six weeks, we will forthwith suspend you? You are going to give them a great advantage—you will reverse your respective positions—that is what I deprecate, and I never felt upon any point more strongly. Should the house of assembly continue to neglect their duties to this country, and to the negro population, I shall then be ready to allow the British parliament to arrogate to itself the right of making laws for the colony: but I feel that you are only embarrassing the consideration of the question by the course which you are now adopting. What are you going to do? You reserve not to the imperial parliament, but to the governor in council, the right of determining what may be fit to be done on the 15th of October. You are on the point of giving to the new governor—who is going to the colony without any practical knowledge of its present condition—

whom you are about to send out by the next packet, the power of deciding upon the expedience of suspending all legislation in Jamaica, and, at the same time, by a coercive menace, you make it quite impossible for the Assembly to exercise for good the power with which it is proposed to invest them. Legislation so effected would carry little authority with the whites or with the blacks, it might be pursued and remain, but it would not the less be of the most discreditable character.

Mr. Labouchere admitted, that the method in contemplation was not a very agreeable mode of proceeding, it was however the best which, under the circumstances, could be adopted, and there was nothing in it new, as it had been resorted to on other occasions. The house then divided—For the clause 267; Against 257: Ministerial majority 10.

In the house of lords the second reading of the bill was moved on the 1st of July by the marquis of Normanby, who adverted in terms of great severity to the conduct and constitution of the Jamaican assembly, a subject on which he said his personal experience and local knowledge enabled him to form an opinion.

Lord Harewood said, that too much stress had been laid on the reception of the Prisons' bill by the Assembly, which had in fact only brought the dispute to a crisis. He moved, that the bill be read again that day three months.

Lord Brougham was strongly opposed to the principle of the bill; it was, however, necessary for something to be done, he would therefore let the bill proceed and consider it in committee.

The speech of lord Normanby was severely censured by the duke

of Wellington, who declared most solemnly that the greatest doubt he entertained on the propriety of agreeing to the second reading of the bill, arose from some of the topics introduced by the noble mover into that speech. It was the duty of men in office to conciliate such bodies as the legislature of Jamaica, but the whole of the speech in question was made up of violence and menace, and that for no better reason than because the Assembly had very naturally disapproved of an act which went to usurp their own proper authority, and had been announced in a way in which no gentleman would be pleased to have any order whatever communicated to him. The noble duke, however, hoped to make such alterations in committee as would render the bill an useful measure.

Several observations fell from other noble lords, and the earl of Harewood, in concurrence with the general feeling, withdrew his amendment.

On the following evening, when the order of the day was read for going into committee, lord Lyndhurst rose to move the expansion of the first clause of the bill. The noble and learned baron on this occasion proceeded to review the previous transactions which had brought about the present crisis, and dissected the bill before the house, in a speech which was eminently characterised by the great dignity of expression, and the perfectly lucid ordination of the materials. He entered into a long vindication of the demeanour of the colonial assembly; and with regard to the most debated topic, insisted that the Jamaican legislature had already passed in 1834, a prisons' bill, which did not materially differ in its enactments from

that which had been so unceremoniously imposed upon them. On a subsequent occasion, at the suggestion of the governor, they even appropriated 42,000*l.* in order to give effect to the provisions of the measure. The necessity of still further alterations had been indicated by the government, but impediments of one kind or another, the prorogation of the Assembly, and at a more recent period, the express recommendation of sir Lionel Smith, had prevented any further legislation on that subject. Too great a handle by far had been made of their intemperate language. No one could regret it more than he did, but it had been adopted at the close of the session, when no more than twelve members remained, and was disapproved by the rest of the Assembly.

To come to the bill before them. It could not be denied, said lord Lyndhurst, that the imperial parliament possessed the right to pass laws for Jamaica. But nothing, nevertheless, short of a great emergency, could justify such a procedure; that was the doctrine of all statesmen; was the present a juncture of that character? Sufficient reasons indeed were stated for the bill in the preamble; but the preamble declared what was false, when it set forth, without the slightest qualification, that the Assembly had refused to pass any excepting money bills. In those resolutions the resumption of their legislative functions was in point of fact made contingent upon the answer which the government might be pleased to make to their question with regard to the footing upon which they were to exercise the privilege of independent internal government. A subject of complaint was mentioned, and

they called for redress, nor was there any reason for doubting, that a more conciliatory treatment would have brought them back to their duties. But, continued the noble lord, not only was this bill a violation of the Jamaican constitution, it was moreover a most unnecessary violation; there was no occasion for passing laws relating to contracts and vagrancy with so great precipitation. An application was made at the end of the last year for a return of the number of vagrants at that time. The return came, and the result was nil. The remaining subjects might be postponed with little detriment until the Assembly could make the necessary regulations. It was better to wait than to force laws upon them; to exercise forbearance towards the weak was ever a temperate, dignified, and wise course of conduct, and parliament, he was satisfied, ought to adopt no other.

Lord Glenelg and the marquess of Normanby then rose together; the latter, however, gave way, and lord Glenelg addressed the house at some length with regard to his conduct on the Prisons' bill. The noble lord admitted that the gaol act passed by the Jamaica legislature in 1834, was in itself free from objections, it recognised as the basis of prison discipline, classification, regular labour, religious and moral instruction, but the salutary provisions of this statute were but imperfectly administered, and the principles almost entirely disregarded in practice. He then proceeded to explain that this inconvenience arose out of the fatal circumstance that the act contained no adequate executory provisions, it depended upon the parochial authorities and local magistrates, and subsequent experience went to

prove how completely inoperative the new regulations had remained in the hands of these functionaries.

Lord Glenelg did not travel further out of the period commensurate with his own official responsibility, and abandoned the defence of the subsequent measures of the government to his uneasy successor. Lord Normanby felt evidently somewhat disconcerted that the noble baron had not chosen to address himself to the general question, though, we think, with but little reason, for no one could have less claims upon the benevolence of lord Glenelg than his successor in the colonial office. The new secretary confined himself to a brief recapitulation of the general arguments which had been already so fully given.

The disappointment of the noble marquess, who had not apparently made himself master of the subject, was partaken in appearance by lord Brougham who followed him. Not one word had fallen, said the learned baron, upon the question before the house, from the late colonial secretary, although he rose after an "attack upon the present bill upon almost every point of constitutional law, and every fact that bore upon the case. Neither had the marquess of Normanby advanced in its justification one tangible reason. They referred to the Prisons' bill, to the conduct of the assembly in 1838. But whether the first clause should stand, that was in fact the question, and to that proposal, limiting as he even did his assent to measures of unconstitutional character and hateful aspect, begun, continued, and ended in illegal violence, he must unhesitatingly answer "No."

When, however, even unconstitutional measures came up to that

branch of the legislature, with the clear and decided opinion expressed in favour of them by the other house of parliament, it would be with the greatest reluctance that he should ask their lordships to record their dissent from the desires of representatives of the people. So it was when large majorities of the lower house had sent up bills, as heretofore in 1833 and 1834; and it might be so again when other measures arrived, if under the present dispensation they were ever again to receive bills passed by even respectable majorities. Whenever he was convinced that the case for him to grapple with was sanctioned by the unequivocal and decided will of the house of commons, conveyed in anything approaching to a fair and undeniable majority of its members, and not by a precarious chance medley—in such an event, although he might not feel obliged to give up his own conviction, it would be no doubt his duty to treat the question with respect and delicacy, not to differ lightly or inconsiderately, and, if possible, to agree with it. But, exclaimed the noble lord, how was it with a measure which owed its success to the most narrow majority, to circumstances all but fortuitous, where the turn of the scale was obtained by the lightest dust flung into the balance, wavering, quivering, shaking in the air, so that the eye could hardly see which scale preponderated, when neither kicked the beam? In what light, for example, were they to regard the first clause of the present bill? Were the commons unanimous? so far from that, the preponderance in its favour hardly deserved the name—the expression of its pleasure was not distinctly communicated; none but the keenest organs of vision

could discern the faint majority, and the vague arguments were not audible but to ears of the rarest acuteness. It was doubtful whether the legislature had come to any opinion whatever upon the subject.

Noble lords might laugh, but if there were any thing ludicrous in such legislation, the fault lay not with him, but the fact was so; and it was melancholy rather than laughable when the affairs of a great nation were so conducted. It came near to an abdication of parliamentary power, a negation of all their functions.

The practical inference was one of the last importance. In proportion as he should be slow to touch a work—the workmanship of law-giving, conducted by the steady hand, the united purpose of the co-ordinate branch of the legislature—even so he felt himself warranted in calling upon their lordships to approach this motion as an open and original question, upon which the other house had never given a judgment or interposed any authority.

The conduct of the Jamaican Assembly was not a sufficient justification for the violent measure now before them. If, however, it were a case in which six hundred rational men, or the greater part of them, had no doubt in their own minds upon the line to be taken, the matter would then wear a different aspect. But when their opinions were poised in such an equal balance—necessity in one scale, needlessness in the other—that they were all but upon a level one with another, was he justified in suspending the constitution of the colony?—God forbid!

Most of these men, moreover, who denied the necessity of resort-

ing to so extreme an expedient in the present instance, were those very persons who, on a former occasion, were unanimous in suspending the Canadian legislature, upon the ground that it had abandoned its functions. What if three hundred of those who had voted with so little hesitation upon the case then presented to them, were now, without exception, of opinion that there was no ground whatever for the proposed interference with the assembly of Jamaica? What-ever might be his individual opinion, a consideration like this might well induce him to pause.

Colonial assemblies, said lord Brougham, will, from time to time, be in conflict with the home government; and their lordships must lay their account with these things; but let them, at the same time, remember the lesson given to parliament by the mature experience, the comprehensive sagacity, the genius for affairs, of the first lord Chatham—

“Be to their virtues ever kind,
Be to their faults a little blind;
Let all their acts be unconfined,
And clap a padlock on their mind.”

The wisdom and the genius of the earl of Chatham were, he knew, a matter of ridicule among the greater statesmen by whom he was surrounded—[laughter]; but he had an old-fashioned respect for that nobleman, whom the country used to venerate; and he was also of opinion that lord Lyndhurst's recommendation ought to be attended to—that they ought to adopt, so long as it was possible, a temperate course towards Jamaica. He could not but feel, however, that it was a pity that his noble friend had reserved all his horror of suspending constitutions for the present juncture, and

had left him to fight alone the battle of Lower Canada.—[“I do not think,” interposed lord Lyndhurst, “that I was in the house at the time.”] Then, said lord Brougham—[occasioning some laughter]—I greatly lament his absence, and that all the letters which he wrote to urge his friends to go down and support me took no effect whatever. Dismissing this part of the subject, lord Brougham observed, that there was little of the doctrine of “finality” in the assertion of lord Normanby, that the Assembly was not entitled to respect because it did not represent the population of the island. If that were the main criterion of the right of a popular assembly to be so considered, what became of the legitimacy of the present house of commons. It represented property, but ninety-nine out of a hundred of the people were not represented, and yet who talked of suspending their legislative functions? In the imperial legislature property was, no doubt, represented, but population was trampled under foot.

The elaborate speech which the noble lord had just delivered, called up lord Melbourne, who spoke with considerable vehemence. “I utterly disclaim, (protested the noble viscount,) on the part of myself and my colleagues, the least desire to abolish the Jamaican constitution, or to interfere with the rights of the people in this country or in any of the colonies. What we have done has been done with the deepest regret and reluctance. It was with the utmost unwillingness that we made the proposition which we made before; it is with great concern and sorrow that we make the present: but, I say, that this course, which we

now call upon your lordships to pursue, is forced upon us, is absolutely made compulsory by the conduct of the Jamaican assembly; and, I declare before God, that if any other body, aristocratic or democratic, be it where it may, were to act in a similar manner, I would not hesitate to advise the same sort of measures, in order to supply those functions which were left wanting by it—those duties which it had abandoned. My lords, I respect the rights of all parties. The rights of all individuals—the privileges of all bodies, whether elective or hereditary—all constituted authorities in every country, I regard and reverence; but all established authorities—whatever weight or dignity, power or privileges, they may enjoy—hold them by the tenure of performing the duties that they are bound to discharge, and if they utterly desert and abdicate those functions, the blame remains with them—they commit suicide upon themselves. No, my lords, not we but they—the persons who by their reckless and inconsiderate demeanour have laid us under the existing necessity; these alone are responsible for the severity of the measures we are now compelled to take for the very life and maintenance of society in their island.

The whole interest of the community—the entire *respublica* is committed to their care, and they have no right to withdraw themselves from that duty or from any part of it. By abrogating their functions in part, they abolished them altogether. But their resistance, it is urged, was only conditional. What right have they to place the performance of their duties upon a contingency? Is that a principle you desire to sanc-

tion? Your lordships seem almost prepared to submit to this Assembly; to acquiesce in the terms proposed; and condemn, and that in a very singular manner, your own act for the regulation of prisons.

The committee divided on the first clause, which was expunged by a majority of 69; there being in its favour 80, and 149 against it.

Lord Brougham then moved an amendment to the second clause, limiting the power of the governor in council with regard to the renewal of money bills, but was prevailed upon to postpone the discussion till Thursday, on which day, the other clauses having passed, it was agreed that the report should be brought up. When the order of the day was read for bringing up the report, lord Harewood suggested the prudence of withdrawing the bill altogether. If the governor would offer some explanation—not an apology—to the Assembly, all difficulty would be removed.

Lord Brougham then moved as a proviso, "That nothing herein contained shall enable the said governor, with the assent of the said council, to continue or renew any acts for the raising or appropriating of money." The renewal of a tax, he observed, was the same thing with passing a money bill. The Assembly had agreed to keep faith with the public creditor; and he was authorised by the agent of Jamaica to state, that the promise was understood to include the obligation to pass the necessary money bills. The report was brought up, and lord Brougham's motion put.

Lord Melbourne said he could not adopt lord Harewood's suggestion, and confess that the bill had been passed in a hurry, and by

mistake. Other noble lords might say so with truth, but he could not. He knew perfectly well what he was about. The bill he was aware provided for internal legislation, and must lead to exasperation; but it was also necessary, and some noble lords were rather more eager for it last year than they now appeared to be. The course suggested was not consistent with the dignity of the country. Neither, said the noble viscount, was it possible to adopt lord Brougham's amendment. The renewal of an expired impost was, he admitted, all one with the imposition of a new one. No less than the noble lord he deprecated the oppression of the weak, the ill usage of the feeble; but the fallacy of his argument was clear. This was no instance of gratuitous oppression, but a case of necessity, brought on by the contumacy of the Assembly themselves.

Lord Normanby shewed that they had not made sufficient provision for the public service. There was a deficiency of 42,840*l.*, and nothing had been awarded for the army and navy.

Lord St. Vincent said, that the payment of the army and navy was quite gratuitous, and it was an objection to this bill that it would make it compulsory.

Other noble lords expressed their opinions, but not at any length; and lord Brougham observed, by the way, that lord Melbourne, the other evening, had broached some singular doctrine about men who voted from party motives:—I (said the noble viscount) am an independent man, and therefore I vote from party motives.—[*Laughter.*] Those who voted disinterestedly were not, according to the notions of his noble friend,

independent men. Now, it was quite clear to him that if their lordships divided, noble lords on the opposition side would vote with his noble friend, for they would vote from party motives.—*[Laughter.]* And if it were his disposition to act from such motives, he would have abstained from proposing any amendment at all, and have left the bill as it now stood; for it was no longer the bill of the marquis of Normanby, but the bill of sir Robert Peel. It was precisely the measure which sir Robert Peel proposed to substitute for the bill of the government. This, indeed, might be a very good reason why some noble lords should vote for it. He should not withdraw his motion, but would leave it in the hands of his noble and learned friend opposite.

The amendment was negatived without a division, and the report was received.

The bill was read a third time on the 5th of July, and passed.

On the 9th of the same month, lord John Russell recommended the house to acquiesce in all the amendments introduced by the lords into the bill. The chief alteration, and a very material one, was the omission of the first clause. Another provided, that two months after the meeting of the Assembly should elapse before the governor might continue any act that was about to expire. It was, however, better far to pass a bill so altered, which gave the governor new powers, than not to send out to him any measure at all.

The amendments were then agreed to; and so the bill, after these long discussions, was passed at length in the very shape which

sir Robert Peel at first suggested it should be adopted.

So far back as the year 1836, an assurance was made public in Malta that it was the intention of the government to abolish the censorship of the press in that island. With a view to effect this and other alterations, a commission was subsequently issued, consisting of Mr. Austen and Mr. G. Cornwall Lewis, who were instructed to make an inquiry into the justice of various complaints which had been preferred by the Maltese against the administration of the island, and to make a report upon the subject.

One result of their investigations was the "draught of an ordinance for abolishing the censorship and providing against abuses of the consequent liberty of publishing." The instrument in question was presented to the colonial office, but was sent back for reconsideration, and it was not until March, 1839, that lord Glenelg transmitted it to the council at Malta, with directions to make the necessary modifications in matters of detail, before it was put into execution.

On the 30th of April, lord Brougham called the attention of the House of Peers to this transaction, by moving that an address should be presented to the queen, praying that she would be pleased to disallow the ordinance. The noble lord objected in the first place that it had been drawn up by a person who, unfortunately from ill health and not from any want of ability, had never practised at the bar, and who, however valuable as an adviser on account of his profound and extended knowledge not only of the laws of his own country, but of the general principles of jurisprudence, was

nevertheless from his very capacity unfitted to be the sole constituent member of a board. In the next place, the ordinance had been submitted and passed by a council of civil and military servants—a lack-learning council without the shadow of a lawyer among them—in the absence of the lord chief justice and attorney-general. But to come to the document itself. After characterising the production as an unexampled mass of blunders, lord Brougham proceeded to explain that it consisted of five chapters and four pages, and to these were appended forty closely printed folio pages of notes and comments. This vast body of explanations were calculated to leave a man in the state of mind in which a person might be supposed to be who was a little confused by a statement but found himself still more confounded by the explanatory notes and elucidations. They were undoubtedly extremely clever, no one but a person of acuteness and ingenuity and possessed of much various knowledge could have written them; but then the erudition so displayed was unfortunately not of that particular subject which was required for the occasion—the knowledge of English law. Never had he met with a more curious assemblage of mistakes in this point of view in his life, nor was it possible to witness without uneasiness legislation retreating away from the light into the darkness of a former jurisprudence, and instead of giving freedom to the press, fettering and cramping its liberty by multiplying superfluous definitions, and attaching the penalties of libel to a number of impracticable cases which were wisely never comprehended by the homely language of

the English law. The noble lord complained that several novel terms, such as “malversation,” and “censure,” had been introduced, which had been hitherto unknown in British jurisprudence, and entered into a long and rather humorous critique of the wording of the ordinance, and the cumbrous appendage of notes and explanations which defeated their own intentions by a parade of impertinent accuracy. In point of fact, pursued lord Brougham, the ordinance made the censorship more stringent under the pretence of abolishing it. Under the old regime any books might be imported into Malta—this was now forbidden; and the present law was moreover administered, not by a jury, but by a single Maltese judge, who had, on a late occasion, sentenced the editor of a newspaper to six months imprisonment for saying something disrespectful of the Roman Catholic religion. There could indeed be no readier means of annihilating the liberty of the press than the abolition of jury trial in libel cases. The noble lord concluded by moving his address.

The late Secretary for the colonies declined following lord Brougham into all the legal details which had been discussed by him. He would simply explain the motives by which he had been led to take the course which had been condemned. The abuses which had grown up in Malta during the last thirty years were a sufficient reason for attempting to introduce the liberty of public discussion. In that island, said lord Glenelg, the people were ground down by heavy taxation; all the public functions were in the hands of foreigners, who, instead of exe-

cuting the duties attached to them, employed the natives of the colony to perform them; and at the same time the national education was decaying, and the charities had withered away: and this, continued the noble lord, had taken place not in a conquered possession, but in the case of a people who by their own act and authority had voluntarily assented to the protection of the British crown. Much of this was, no doubt, the consequence of the complete restriction of the press; and, notwithstanding the strictures of the learned baron, a law like the present, which admitted at least the principle of discussion, must evidently be a considerable improvement upon a system, where libel was only not forbidden because it was idle to provide against an impossibility. The commentary, he granted, might be open to censure in various ways; it might push too far that delight which able minds felt in following out a subject to which their attention had been long and interestedly directed. But in spite of the feelings excited by the humour of the moment, or by any transient invective, that commentary would remain a monument of great ability, and able development of the true principles of legislation.

The noble and learned baron continued lord Glenelg, complained that the English law of libel had not been transferred to Malta—how was that practicable? He knew of no statute which told what libel was. There were, indeed, decisions of judges eminent for their learning upon the subject; but of late years something had superseded those decisions, and since the law of Mr. Fox, the libel, he believed, had not rested on statutes, nor on the de-

cisions of judges, but with the juries before whom cases of libel had been tried. It had become very much a question of sentiment, depending upon public feeling. In some instances, the verdict of a jury had overruled the opinion of the judges. The law of libel in this country, was one that presupposed a considerable degree of enlightenment among the people, and was to be found in the common sense and conscientious opinion of a jury. But, in what shape, he would ask, could that be transferred to Malta? Upon mature deliberation, it had been found impossible to introduce the trial by jury into the colony from the want of any adequate machinery. If any steps were taken, they could only be adopted by way of experiment. It remained, therefore, to obtain from persons eminently well qualified, a form of laws assimilated as far as possible to the English practice, and adapted to the wants of the people, and the measure in question had given satisfaction to all classes. The noble lord had complained of the severity with which the ordinance bore upon strictures upon private persons. It should, however, be remembered, that in England with a base press, the people were accustomed to attacks of which the population of Malta had no conception; but they had just cause for alarm when the publishers of the paper alluded to by lord Brougham, deliberately announced that as soon as the liberty of the press was granted, they would institute a searching examination into, and report upon every family in Malta. In so small a community this created a degree of consternation, which with other

considerations, fully justified the enactment. The law was now in operation, and although open to modifications, ought to be regarded as final and permanent.

The Marquess of Normanby objected to the form of lord Brougham's motion as most unusual. With regard to the ordinance, the marquess stated, that it had not yet been confirmed. Several reasons had made it advisable to recommend the crown not to interfere before the law had been on longer trial, and a further opportunity had been given the governor for reporting on its operation and effects. Lord Normanby then drew the attention of the house to some very reprehensible language which the "Harlequin" had held with regard to the Roman Catholic religion, and observed, that from the peculiar relations in which Malta was placed with regard to private character as well as religion, more rigorous enactments on that head were called for, than in a country where the liberty of printing was a sort of second nature, and its abuses were tolerated from custom. In so limited a population as that of the colony in question, there were no great events in which the sense of private injury was lost, and the newspapers had literally few resources without the publication of these unmerited insults.

Understanding that the ordinance was still upon trial, the duke of Wellington felt himself dispensed from the necessity of voting for the address, and indeed looking upon it as a matter entirely for her majesty's council to whom the governor's report would be submitted, the proper course for the house would be to request lord Brougham to withdraw his

motion. With regard to the freedom of the press, the noble duke maintained, that Malta was the last place in her majesty's dominions in which such a regulation was called for. Many other institutions were incomparably more necessary. Our business was, to maintain in Malta a garrison, and a great naval station. We were bound, of course, to superintend the good government of the people, who amounted to upwards of 100,000, loyal subjects of the crown. But, when it was remembered, that they were a people who talked the Maltese language alone, and of whom not one in 500 could read a line; of all institutions a free press would seem the least called for by such a nation. Some liberal gentlemen however in this country, thought a free press exceedingly desirable, on account of the advantage to be produced on the people of the neighbouring coasts of France, Spain, and Italy. Such objects however were inconsistent with the honour of this country. The power and the interests of England were best served by maintaining peace at home and abroad, and not by exciting insurrection in other countries, at the same time that it was asserted by the government, that we were ostensibly and in fact at peace with those nations. The enactment was open to objection, because it was intended not for Malta, but for the neighbouring shores, but said the noble duke, if they were to have a free press, in God's name let it be one in the Maltese language, and as the ordinance was under consideration, he would venture to suggest to the noble marquess the insertion of a little paragraph to that effect, and re-

commend him to take care that the document itself be drawn up in the Maltese tongue.

The Duke of Wellington then went on to deny upon the credit of an experience of more than twenty years, the existence of any state of things in Malta, at all corresponding with the representations of lord Glenelg. So far from its having been misgoverned, he had been astonished at the excellence of its administration, its immense resources of all descriptions, and the readiness with which they were furnished during the war to his majesty's forces. There was not, indeed, upon the whole globe, a place of like extent and population, which possessed one thousandth part of its riches of all descriptions. So much was only due to those distinguished persons who had governed that island and this country.

The description given by the duke is a remarkable contrast to the terms in which lord Glenelg characterised the Maltese administration, and is a lesson not to place too much reliance upon accounts apparently the most authentic, when two such opposite statements can be maintained at the same time by gentlemen who possess so long an official experience.

In reply, lord Brougham admitted in palliation the remark of the late secretary that this was the first attempt which had been made to reduce the libel laws to a code—and a very moderate one it was. Under all the circumstances, he would, however, acquiesce in the duke's suggestion, and leave the whole matter for the consideration of the government.

At a later period of the session, the affairs of Malta again became a subject of discussion in the up-

per house, through the instrumentality of the earl of Ripon, who, on the 27th of June, brought under their notice, the recent abolition of the offices of Lord Chief Justice, Attorney-general, and collector of the revenue in that island. The last mentioned abrogation had taken place under circumstances of peculiar hardship, and the motion submitted by the noble earl, was, "for the production of the evidence taken in this case, and for some other papers connected with it." Every one of those gentlemen had been cashiered upon the mere recommendation of the commissioners, without being heard in their own defence; and although the commissioners had expressly insisted, that this ought not to take place, without fair remuneration and superannuation, the noble lord, in a moment of forgetfulness, had deposed them all without either the one or the other. If, indeed, urged the noble Earl, it had been the duty of these commissioners to make inquiry respecting reports, abstract principles, and *dilettanti* views of society, it might be thought unnecessary to go into inquiries. But when the result of that investigation concerned the present interests, and the personal feeling of individuals, the parties affected had a right to be furnished with an opportunity of showing, that they were not to be deprived of their situations, or, as was in one case the fact, be brought to positive ruin, without having any means of showing the injustice of such a proceeding.

Lord Ripon further insisted, that it was very far from desirable to exclude entirely English judges from the courts of Malta. The bar of an island where the business was necessarily so very limited,

was obviously too confined a body to select judges from, at all times. They were liable to be committed to petty party politics, and many situations of affairs were very conceivable, in which, with such a taint upon him, a judge so chosen, would be very unfit for his functions. Again, since the time when Malta was first assigned to us, at the peace of Paris, the government had been incessantly directed to improve the law of the country, which was the most barbarous he was acquainted with, and to impregnate it with the principles of British jurisprudence. Incorporated, then, as that law was, with our own system, how could the commissioners expect to proceed, without the assistance of an English judicial officer. And this was the more obvious, when it was borne in mind, that besides native Maltese, many other persons, who frequented or inhabited the island, traders and merchants, crews of British vessels, and visitors for pleasure, came under the jurisdiction of the colonial courts.

Lord Glenelg, who rose after the earl of Ripon, observed, that the noble lord had blended the two questions which ought to be treated separately — the abolition of the office, and the amends to be made to the loser of it. He had always been of opinion, that where any person was displaced for public purposes, ample compensation ought to be awarded to him; and confessed his sympathy for the case of the collector of revenues, although he had little to do with it, because the last decision of the treasury had been made, since his relinquishment of office. He could not, however, at all admit the principle, that was then laid down for the first time, that before any

office was abolished, the person in present possession ought to be consulted upon the measure. With regard to the expediency of removing Mr. Cumberland, the case was sufficiently clear. It was the duty of that gentleman to collect the land revenue of 30,000*l.* a-year, from a number of small and scattered tenants. Mr. Cumberland, however, did not understand the native language, and was compelled to execute his functions by deputy, who was, also, acquainted with their tenures, and mode of letting and cultivation. The place, therefore, was, in fact, a sinecure.

It was further stated by lord Glenelg, with regard to the attorney-general and lord chief justice, that his intention had been to offer them *both* employment in other places. In the mean time, the success of the measures adopted were no longer a matter of speculation but experience. The law had been administered by seven judges, including the lord chief justice, who received 1,600*l.* per annum. But it had been since found to be quite possible for the six Maltese functionaries, who were in the receipt of only 400*l.*, and 500*l.* a-year, to perform the whole of the duty, and a very considerable saving had thus been effected in the revenues of the island. No complaints had arrived from Malta and a letter was now on their lordships' table, in which the governor stated, that the business of the courts had never been conducted in a more satisfactory manner. In point of fact, so far as the maxims of the English constitutional law, and its general principles, were concerned, there was no necessity for the instrumentality of English lawyers to introduce it into any

the judge to have a knowledge of English legislation, or that an English functionary could not understand the Maltese jurisprudence, because the English law already formed one half of the law in Malta, and the remaining part was founded in the main on the Justinian code. The only original jurisdiction of the chief justice was a criminal one; and to say that he could not preside in the appeal or Vice-Admiralty courts of the island was all one with asserting that the privy council were incompetent judges upon many nice points of colonial or Scottish law, because they had not been trained up in the courts of Scotland. An English judge, moreover, could not be tampered with—no man was purer, nor was there any lawyer on the continent, even in the best parts, who could be compared to him.

The noble baron further remarked, that it was easy to understand why the Governor should not object to the abolition of the office of chief justice. He had never known a case when the Governor and the Judge had not sooner or later come into collision. Young gentlemen of little experience were too often sent out with a very high notion of their own importance, as had been seen in Ceylon and the Indies, and it was moreover known that military men rather objected to have a chief justice who might restrain them. Now the Maltese judges were the quietest of all men, and this might probably go some way to account for the acquiescence of sir Henry Bouverie. The noble lord concluded by recommending the ministers not to rely upon the commissioners, but to consult the learned baron on the woolsack,

who would give them good law, and put them in the way of a better decision.

Lord Normanby replied in a few words, that while they were discussing whether a chief justice ought to be maintained with a salary of 1,600*l.* per annum, the revenue of Malta was absolutely below its expenditure. It could not support a sufficient police—convicts were obliged to work—and the people were over-taxed. It seemed to lord Normanby just as possible to obtain judges of integrity and competent knowledge at Malta for a moderate remuneration as it was to procure barristers from Westminster Hall, not the most experienced, at a far higher salary. In point of fact, the Maltese judges had proved themselves to be quite adequate to the discharge of all their functions, and Dr. Buonapita, the chief justice, was in every way qualified to preside in the court to which he was appointed. The late attorney-general, he observed, had been obliged to plead by deputy, from his ignorance of the native language.

A few remarks from lord Melbourne concluded the discussion, and the motion was agreed to.

The important subject of Colonization which the necessities of the times have at length succeeded in forcing upon the public attention amid the pressure of topics of more immediate political interest, but perhaps of less important bearing upon the permanent welfare of the country was brought under the consideration of parliament, on the 27th of June, by Mr. Ward, in the form of a series of resolutions relating to the disposal of the waste lands in the colonies.

On referring to the resolutions

which we have subjoined below,* it will be seen that the principal object was to extend to other dependencies the system of colonization which parliament had already established in 1834 for the new settlement of South Australia by the sale of all lands without exception at an uniform and sufficient price, and the employment of the whole or a large fixed proportion of the proceeds as a fund for emigration. It was further recommended by the member for Sheffield that the land should be sold in England, and the proceeds, when necessary, anticipated by loans on the security of future sales, for the sole purpose of emigration. It was also in his contemplation to obtain the guarantee of an act of parliament for the permanence of the present system, and to create a special subordinate board for its administration.

* "1. Resolved, that the occupation and cultivation of waste lands in the British colonies, by means of emigration, tends to improve the condition of all the industrious classes in the United Kingdom, by diminishing competition for employment at home, in consequence of the removal of superabundant numbers, creating new markets, and increasing the demand for shipping and manufactures.

"2. Resolved, that the prosperity of colonies, and the progress of colonization, mainly depend upon the manner in which a right of private property in the waste lands of a colony may be acquired; and that, amidst the great variety of methods of disposing of waste lands which have been pursued by the British government, the most effectual, beyond all comparison, is the plan of sale, at a fixed, uniform, and sufficient price, for ready money, without any other condition or restriction; and the employment of the whole, or a large fixed proportion of the purchase-money, in affording a passage to the colony, cost-free, to young persons of the labouring class, in an equal proportion of the sexes.

The hon. gentleman recommended the subject of his resolutions to the serious attention of the house, by a very impressive picture of the state of distress and restless discontent to which the laborious classes of this country had been reduced, by the disproportion between population and the field for the employment of labour, in spite of the thousand channels which capital and credit have opened to our industry; a pressure, added Mr. Ward, which was felt even by the portion of the community who were far removed from destitution, if not for themselves, yet for their children and connections. For all this, however, had Providence furnished a remedy in our Colonial Empire, which, at the same time that it afforded an unlimited field for operation, presented also all varieties of climate and of soil, and the power of producing every article which our manufactures stood in need of. But, hitherto, the legislature had done nothing, the government nothing.

"3. Resolved, that in order to derive the greatest possible advantage from this method of colonising, it is essential that the permanence of the system should be secured by the legislature, and that its administration should be intrusted to a distinct subordinate branch of the colonial department, authorised to sell colonial lands in this country; to anticipate the sales of land by raising loans for emigration on the security of future land sales; and generally to superintend the arrangements by which the comfort and well-being of the emigrants are to be secured.

"4. Resolved, that this method of colonising has been applied by the legislature to the new colony of South Australia, with very remarkable and gratifying results; and that it is expedient that parliament should extend the South Australian system to all other colonies which are suited to its operation."

There had been no system—no settled principle; the one looked upon them as a means of patronage, the other as a source of revenue, and all the good that had been effected was the work of individuals. But surely the unoccupied land in our colonies was intended to serve higher purposes. What were called waste lands were emphatically public lands, the patrimony of every poor man who paid allegiance to the crown, and, as such, he claimed them. They were a trust which the government ought so to administer, as to afford the means of reaching those colonies to all whose poverty, not their will, bound them to our shores. Fortunately, however, this was a measure of comparatively little difficulty, since it was not possible to introduce any sound and practical system of dealing with those districts, without, at the same time, creating a considerable revenue. The United States, for instance, had realized from this source, in forty-two years, a sum of not less than seventeen millions sterling, while our territories had remained waste in every sense of the word. Yet the American colonies, so far from having been retarded by what might appear to be a heavy tax, had actually flourished to an inconceivable degree, in spite of—nay, in consequence of—the impost, and had given birth to new states and populous cities in the wilderness, while our own transmarine possessions, which had been recklessly granted away for the most unwise purposes, had brought us in no revenue, and created no opulent communities. The fundamental error of the system was first pointed out by Mr. Wakefield, in his work entitled “England and America,” who had developed with

admirable clearness the true theory of colonization. It was there laid down as a first principle of colonization, rightly understood, not to disperse, but to concentrate labour; and so secure to the settlement, from the beginning, the advantages of a continuous supply of combinable labour. Some pressure from without was, however, indispensable, in order to produce this effect, because it was the natural tendency of every man who emigrated to a new country from an old one, where land was scarce and people plentiful, to become the proprietor of land himself, under the impression which he carried out with him of the value of land in his own country. The consequence, however, continued Mr. Ward, of this fallacious instinct, wherever it had been indulged, had been to isolate the settlers—to divide labour into fractional parts—the single pair of hands of the separate individual, and put an end to all exchange or progress of any kind. When a colony was once suffered to fall into this state of stagnation, it was seldom found to recover. Nova Scotia was a proof of this, among our own provinces; the Gauchos of the Pampas were another. There the Spaniards were precisely what their fathers were three hundred years ago; and if there were other colonies which have not shared this fate, it is because the successors of the original settlers, being men of greater capital and energy, have corrected the vice of their position by having recourse to the labour of slaves; and by this means, in default of a supply of free labour, they had raised a vast amount of exchangeable produce, and created an abundant trade. This, said Mr. Ward, was the real history of

slavery, which, in a certain state of society, steps in to supply the place of that hired labour, which capital can always command in a country where land is plentiful and people are few, but which it is impossible to procure in regions where the proportion between land and population is reversed. All colonies had, therefore, undergone this curse in their infancy; for where black slavery had not obtained, white servitude would be found to supply its place. It existed at this moment in Australia, and gave rise to a moral effect infinitely worse than that which we had just abolished at so heavy a cost in the West Indies. Nevertheless, without the white slavery, which was called the convict system, the colony of New South Wales, which can command no other combinable labour, would be absolutely ruined.

What, then, was the remedy? To change the system; to create a sufficient check on the power of acquiring land, so as to secure at once the advantages of combined labour; to prevent the poor emigrant from becoming, upon his disembarking, a needy and useless landholder; and to deter the capitalist from surrounding himself with a desert, which he had no means of cultivating. There must be a power somewhere to give or to withhold land. All colonial history went to show that this could not be safely vested in the hands of the government and, in the event of its being consigned to individuals, a few selfish persons might seize on vast tracts of country, and shut out all other settlers. Some fixed rule, therefore, was called for, to be binding upon all parties; and it appeared, upon mature investigation, that none was, at the same time, so efficient

and so equal in its operation between man and man as "price."

This was the true basis of colonization in reference to the disposal of waste lands. The price of land in the West Indies, where half an acre was enough to support a whole family, would, of course, be greater than the sum demanded in Canada; but in every instance the principle was, that the price of land should be a sufficient "price" to secure to the capitalist a supply of hired labour, while it held out to the working man the prospect of such wages as would enable him to become in turn a capitalist himself. The great object was to fix such a value upon crown lands as would place them beyond the reach of persons without capital, and, at the same time, make it not worth the while of any one to appropriate larger tracts than he could bring into profitable cultivation.

If then, argued Mr. Ward, they looked only to the colony, it was desirable that some price should be affixed to land, but the interests of the mother country were not less concerned. A price must produce revenue, and this income, if laid out in a wise manner, for the purposes of emigration, afforded the best emigration fund which the country could desire. By securing a certain supply of labour, it gave encouragement to the capitalist to invest money in land, while the more land was bought, the more labour could be supplied. In the regulations, indeed, of the South Australian colony, the word "price" was defined to be "a contribution to the emigration fund," and, it was stated, as a distinction, that this was the sole condition upon which land could be procured.

To form an estimate of the pro-

bable amount of such a fund, it was necessary to turn again to the United States. In them the right to all lands, with the exception of some of the old Atlantic members of the union, had been vested in the federal government by an act of congress which was at the bottom of all the good which the system had since produced. They had established one uniform demand of $\$1\frac{1}{4}$ per acre, which was still considered too low by the best informed economists. No preference was allowed, and no credit given. Surveys were conducted upon an enormous scale. No less than 140,000,000 of acres had been mapped and planned at the cost of $\$2,164,000$. There was a general land office at Washington, with forty subordinate district offices, each having a registrar and a receiver, with salaries of $\$500$., and one per cent. upon sales. Maps, plans, and information of every kind were accessible to the humblest persons, and the proceedings of these offices were effectually checked by annual reports to congress. What had been the result? Since 1795, when the system was first set on foot, the sum actually paid into the public treasury amounted to 84 millions of dollars. The national debt was paid off. There was a surplus revenue to divide; and, this became quite intelligible when they looked to the produce of the land sales since 1795. In 1796, the receipts were no more than $\$4,836$. But in 1836, they had progressively risen to no less than $\$24,000,000$. These were the fiscal results; but the moral consequences of this sound and simple principle were by no means incommensurate. The whole western wilderness of America had been converted into the

most thriving aggregation of states the world had ever witnessed, and full of all the elements of public and private prosperity;—a contrast melancholy enough with the condition of things which the radically corrupt and vacillating method had brought about amongst ourselves.

The case of the Swan river afforded a remarkable instance. Never was a colony founded with more legitimate purposes, or with higher hopes. A cousin of sir Robert Peel was at the head. He took out a capital of 50,000*l.* which was invested in stock, seeds, agricultural labourers, and implements of various kinds. Many persons of high respectability went with him. But all these advantages came to nothing, by the absurd principle upon which the land was disposed of. Mr. Peel began by appropriating a grant of 500,000 acres. The governor took 100,000, another person 80,000 acres; and an embryo right of proprietorship was thus spread over half the colony before any sort of settlement was formed. In addition to these grants made in England, land was sold at Swan river at 1*s.* 6*d.* an acre. What followed? The labourers who went out with Mr. Peel deserted him, and dispersed themselves over the wilderness; the stock was destroyed, the seed rotted on the beach, and the colony itself was only saved from starvation by liberal supplies from Van Diemen's Land. A new system had, however, been introduced since 1831, and much gratitude was due to lord Howick for having put an end to the most objectionable feature in the former regime by laying down the rule, that for the future no grants should be made to any persons whatever.

But this did not go far enough, for it rested upon the security of no act of parliament, and was always liable to change with the fluctuating counsels of the colonial office. To give to the system any thing like its proper efficiency, a national guarantee was required, which should bring into competition British as well as colonial capital, and, as it was not possible to conjecture beforehand their probable amount, to sanction the anticipation of the sales of lands by loans raised upon them. England, it ought to be remembered, had no backwood, like the Americans, no continuous communication with her colonies,—a wide sea lay between them—and the poor could not cross it without gratuitous conveyance. Now, urged the hon. member, although the actual produce of the land sales would not suffice for this purpose, they would serve as ample security for any money which might be required to bring the plan into immediate operation upon the warrant of an act of parliament. What, for instance, might not the United States raise upon a branch of revenue which had produced in one year four millions sterling? We should adopt their principle. The security was already liked in the British markets; and well it might, since the whole loan was spent in adding to the value of the security. The land sales in New South Wales, though sold at the very inadequate price of 5s. per acre, without the aid of English competition, had realized from 1832 to 1836 no less than 240,091*l*. Now this would be a security for a million of money, if required for an emigration fund, but not without an act of parliament. But, continued Mr. Ward, it might be urged that such a pro-

ceeding would be an invasion of the prerogative, which was entrusted with the administration of waste lands. But what, in point of fact, did that power amount to in this instance, but a great moral responsibility, which so long as it had rested upon the colonial office, had been most disgracefully abused. Only let them contrast the case of Canada where the prerogative had been exerted to the fullest extent, with that of South Australia, where it had been very wisely waived. In the former country the administration of the lands had been a tissue of speculation and mismanagement in the hands of every official person who happened to exercise any influence in the colony.

It had been the endeavour of each, and all, to make something out of the land to the ruin of his neighbour. What were the effects? In Upper Canada out of 17,653,000 acres which had been surveyed, only 1,597,019 remained unappropriated, and 450,000 of these were required for roads. In the lower province, out of 6,169,963, no less than 4,500,000 had been alienated. Of 6,000,000 acres in Nova Scotia, 5,750,000 had been parted with. And in Prince Edward's Island, there was evidence to show that 1,400,000 acres were alienated in one day, in blocks of from 20,000 to 150,000 acres. The greater part of this land belonged to individuals who had never taken possession, at the same time that they excluded every one else. Moreover 3,000,000 acres of clergy and crown reserves scattered over the colony, operated as a bar to all improvement. Of all this territory so wantonly squandered, not one tenth had been occupied, nor had one tithe of the occupied districts been brought

234] ANNUAL REGISTER, 1839.

into cultivation. The same reckless expenditure had obtained in the execution of surveys which were so inaccurate, that almost all titles were uncertain. According to the report of lord Durham, the system of emigration was most inefficient. There was great mortality in the ships, much distress on landing, and no sort of provision made by government for the emigrants at the time when they most stood in need of it. The people in the interior were dispersed and isolated from the want of roads. No schools existed. The markets were few and inaccessible. The farmers were being ruined by the loss of their capital through the want of the necessary communication, and of those who had landed from this country, not less than three fifths had been forced to re-emigrate into the United States.

The only means, said Mr. Ward

of escaping the consequences of our folly, lay in retracing our steps, and adopting lord Durham's system of imposing a tax upon wild land sufficient to bring a portion of it every year into the market, by making it too dear to keep, and it would then be necessary to have recourse to a sound principle of colonisation.

This wiser method, pursued the hon. member, was no longer a theory, it had been fairly exhibited in practice. The colony of South Australia was founded on the 15th of August 1834, by act of parliament. The commissioners of crown lands were appointed in May 1835, and the first vessel was chartered on the 24th of March 1836, at the time when the whole territory was an untrodden desert. What was its condition now. The sales of land up to the 24th of June 1839 had been

ACRES.					£
60,643, at 12s. per acre	...	...	...	...	36,404
88,095 at 20s. do.	...	...	...	...	88,095
<hr/>					
148,738	...	...	...	...	124,499

These sales were principally effected in England. About 7,482 persons had gone out from this country alone, at the expense of about 18*l*. for each adult. The probable population was then about 9,000 and 10,000 souls. The rise in the value of land was something incredible. The first governor captain Hindmarsh, purchased two rural sections of 134 acres at 80*l*. each. They were sold on his departure for 1000*l*. The town of Adelaide contained 700 of stone, brick, wood, &c., besides about 800 of mud and rush huts. Single acres in the town had sold for 1000*l*. each. Mr. Rigge let a

town acre for 50*l*. per annum. And the twentieth part of one of these which had recently sold for 12s. had been parted with for 70*l*. The ordinary profits of sheep farming were estimated at 80 per cent. Two banks had been established, and a third was in progress. There was a company with a capital of 25,000*l*., for constructing a railway from the town to the port; a distance of six miles, and in addition to the two newspapers established in the colony, the South Australian Record in England had a circulation of 2,000 number a month, among those who were interested in the

settlement. Moreover the increase of land sales in the last five months of the years 1837 and 1838, afforded a further test of the advantages of the improved system. In five months of the former year, they amounted to about 2,000*l.*, in the latter to 20,000*l.*

These principles, however, said the member for Sheffield, which had been applied with so much success to the colony in question, ought to be extended to the whole of our dependencies, by means of an act of parliament. The question of jurisdiction no doubt was full of difficulty, and some management would be required to meet it. But although the power of the colony extended within the lands already settled, the home government undoubtedly retained its original claims over all the waste country, nor had the right of disposing of it ever been delegated to any number of settlers whatever. Supposing however, that there existed a disputed jurisdiction, the colonial legislature as was stated by lord Durham, were as anxious for the establishment of a sounder system as we could possibly be. And we held moreover, in our own hands, the means of correcting any factious opposition by diverting the tide of emigration to South Australia.

Would it be wise, demanded the hon. Member, to pass over the opportunity of regulating an impulse which it was now not possible to control? This country now could witness what had not been seen for two centuries before—men of high connexions taking part in colonisation adventures, and prepared to give up the refinements of highly civilised life, with the dependance which is the

lot of younger brothers who can find no outlet in our over crowded possessions, in order to carve out their own fortunes in the wilderness.

Last year ministers had refused to take into their own hands the guidance of the movement of emigration to New Zealand. What was the consequence? New Zealand was colonizing itself. The earl of Durham was at the head of the Land Company, some of the principal men in the kingdom served among the directors, and up to that day, the association had sold 666 sections containing 67,266 acres of land for upwards of 70,000*l.*

The hon. member went on to direct the attention of the house to another point; Port Natal, and the south western coast of Africa. They had been already requested by petitions from Glasgow, and Liverpool, and the African merchants of London, to deal with this question; but reasons still more cogent existed. A re-emigration from the Cape had just taken place of 5,000 armed Boors of the old Dutch race, who had declared themselves independent of Great Britain, and seized a large tract of unoccupied territory forming the district of Natal. This was owing however as much to economical as to political causes. Population at the Cape was becoming cramped for room; while the Natal country offered 15,000,000 acres of fertile and well watered land, unoccupied by native tribes. It was obvious therefore, that emigration in Africa likewise must go on, the only question was, whether it should be left uncontrolled by any responsible direction, instead of applying the proper principle at once to this valuable

country, which had in fact already been repeatedly ceded by the Zoulou chiefs to British subjects.

It was usual to urge, that the introduction of Europeans became invariably destructive to the aborigines, who would not amalgamate with them. But, in New Zealand, the greatest mischief had already been wrought by irregular invasions of the refuse of the neighbouring penal settlements; and it became only the more imperative to place their intercourse upon a footing which should ensure their just and considerate treatment, and eventual introduction of civilization among the native people. Nor could it, indeed, be maintained, that the races would never blend together. With the warlike tribes of North America this might hold good; but there were at this day not less than eight millions of Indians employed in agriculture in Mexico, Columbia, and Peru.

Mr. Ward did not look, in these recommendations, to any barren extension of territory, but to a great impulse to trade, a relief of our pressure at home, and an augmentation in our colonies in consequence of that alleviation. With foreign countries our trade was always fluctuating, and was even retreating, in consequence of political changes and the alterations of the tariffs; but colonial commerce, where the colonies had fair play, was an ever-increasing traffic, whether we maintained our political connexion with them or not. The hon. gentleman concluded by moving the four resolutions, which we have subjoined.

The same views were maintained in an elaborate speech by sir W. Molesworth, who went into an investigation of statistical details too minute for us to be able to

record, after the space already allotted to the previous speaker. The subject, indeed, was treated by sir William more particularly in relation to its bearing upon our penal colonies, which he represented to be very seriously suffering from the great scarcity of labour.

To exhibit the great importance of these settlements, it was only necessary to state that their trade, revenue, and expenditure, as compared with those of the United Kingdom. It was found that in proportion to their respective populations, the exports of the penal colonies were seven times, the imports ten times, the revenue twice, and the expenditure one and a half times as great as those of the United Kingdoms. The hon. baronet went into other calculations, to point out their extreme commercial consequence; and among other matters of fact mentioned that in the immediate neighbourhood of Sydney the value of land was from 100*l.* to 1000*l.*, an acre, while in Sydney itself an acre had been sold for 10,000*l.* These statements were made in order to attract the deeper attention to the causes which threatened the industry of the settlements in question.

Sir W. Molesworth then begged the house to remark, that the cause of the rapid prosperity of these colonies lay not in the circumstance that the government had provided the settlers with gratuitous land, but that it had furnished the combinable labour which gave value to the soil, by means of convict slaves transported at the cost of this country, while the government had further created an excellent market in the form of convict, military, and civil establishments, maintained out of the British

estimates. Nearly seven millions of acres had been granted away, of which only a trifling portion during the last four years had been paid for. They had transported about 110,000 persons, most of these were assigned as labourers, and there were probably from 30,000 to 40,000 convicts now in private service. The Transportation committee had calculated that the sum expended upon these dependencies since 1786 had certainly not been less than eight millions of pounds sterling. Land well fitted for the growth of wool and other produce, a steady market at hand, and an abundant supply of labour, formed the elements of the wealth of the penal colonies. At an earlier period the supply of labourers exceeded the demand, and various indulgences were granted to the settlers, who would take convicts under their charge. The supply and demand were equal at a subsequent stage, there was then no longer any difficulty of disposing of convicts, and the strange system of confining the punishment of offenders to the discretion of private persons (called the assignment system) acquired its full extension. These relations were however now completely reversed; the supply of convict labour had become much less than the demand, and had given rise to very great competition. This, said sir W., was particularly felt in New South Wales, where the flocks, from the want of shepherds, were represented to be twice the size which they ought; numbers of sheep were perishing for want of care, and many proprietors had been compelled to destroy their lambs. It had, in short, been estimated last year, that no less than ten thousand workmen were required for that colony alone. The dimi-

nution, it might be added, in the general and land revenue which the last year had exhibited, might in some degree be attributed to this cause, which would in fact occasion a still further deficiency in the absence of any measures for redressing the existing disparity between the demand and the supply.

That disproportion originated in the great augmentation of capital in the colony, which occasioned an increase of employment, and it was also seriously affected by the very unequal ratio which the numbers of the two sexes had borne in the population of the colony. The convicts were for the most part men, and leaving on their death no children behind them, those who succeeded did little more than fill their vacant places.

The employment of criminals had, moreover, brought discredit upon various kinds of labour in the eyes of the free emigrants, who were averse to occupations which had been performed by convicts, and were reluctant to confound themselves with persons under punishment by working in company. The same feelings were found to operate upon the free population of the southern states of the Union, who cast a stigma upon any white person who consented to exercise the kinds of industry performed usually by the black race. The same causes he admitted were not in such extensive operation in Van Diemen's Land, because the territory of that colony was comparatively limited, and most of the fertile land was already occupied. The yearly importation of convicts was therefore nearly sufficient for the labour market of that colony. But this was very far from being the case

in New South Wales. No government, however, he was convinced, could much longer maintain a source of labour derived from the employment of convicts as slaves, which had been condemned by every authority as a most unequal and objectionable punishment, and when that supply was finally cut off, unless new channels of labour were at the same time opened, the want would be most severely felt by both of the colonies.

But, continued the hon. baronet, not only would these pressing occasions be provided for, but all the southern regions of the globe, Australia, New Zealand, and the islands of the Polynesian sea might ere long become the most important marts for the produce of British industry, and amply compensate for those markets which in the old world we were on the eve of losing, provided that those fertile portions of the earth were once peopled by men of British race and kindred feelings, by a plan of systematic emigration similar to that which had that evening been proposed by his hon. friend.

Mr. Labouchere, who succeeded sir W. Molesworth, would have been well content not to have been called upon to deal with so difficult a question so soon after his connection with the colonial office. He assured the house, that from him they should have no apology in favour of the former system, if system it could be called; but in this, as in many other cases, it was difficult to retrace their steps, and to return at once to a sounder system. He was not prepared to deny what Mr. Ward had called the fundamental principle of the disposal of colonial lands; for he considered, that free grants were altogether an abuse, and that the

only just method of distributing crown lands was the sale of them at a just and sufficient price. There were, however, several details in the speech of his hon. friend, from which he could not be said entirely to dissent, because he had not yet the means of forming a decided opinion; but this he would say, that many persons of official station and great personal experience in the colonies thought it extremely unadvisable for the house to pledge itself, not only to the general principles of these resolutions, but likewise to the details by which it was intended to carry them into execution. Mr. Labouchere then proceeded to notice briefly several of the features of the resolutions. Mr. Ward had proposed an uniform price for land, but a different scheme was more generally recommended. The better scheme, in his opinion, would be to set on a sufficient *maximum* price, and throw the land into the market, leaving it to competition to determine by auction whether a greater price ought not to be given. This system had been adopted in the United States, and would provide against the almost inevitable consequences of jobbing and undue preferences.

He came to another recommendation; the employment of the whole, or a large fixed portion of the purchase-money in emigration. This was the fundamental principle of the colony of South Australia, which was made a model for all others. In the first bill, the commissioners were forbidden to devote a shilling to any other purpose, and it looked upon paper very well. But what he was about to state was a warning to the house not to be too precipitate in laying down abstract rules. For what was the fact? Not a year

passed over before the promoters demanded an important qualification. They had been borrowing at ten per cent. to carry on the government of the colony, and finding this to be a very extravagant method, while they were deriving money from the sale of land, they brought in a bill to enable the land fund to be loaned to the fund for the general government. Was he not, then, justified in requesting the house to pause before they committed themselves to any plan of a similar description? There was, said Mr. Labouchere, a claim of a more important nature even than emigration, which ought to be provided for out of the land fund, which was the due protection of the aboriginal people, while the expenses of road-making and surveys might very properly be charged upon it.

It was recommended, said Mr. Labouchere, in another resolution, that loans should be raised on the security of future sales, for the purposes of emigration; and he was far from denying that, under certain circumstances, it might be desirable to anticipate the land revenues for this purpose. It was, however, a principle that demanded the utmost caution; and he, for one, would never advise the parliament to hold out vague promises, which it might not eventually lie within their power to realize. A good authority, sir G. Gipps, was of opinion, that the carrying on of emigration on a large scale, by means of credit, would have the effect of creating a perpetual debt against the colony, which experience had taught them would not easily be cleared off, while it would moreover be extremely difficult to administer the colony with proper economy, in the midst of the fac-

titious wealth produced by the loan. It would also be well to remember, that the land revenue was the only fund the executive could command for defraying any charges which the legislative council might think proper to reject, and then to bear in mind how difficult it was to control improvident expenditure in a distant dependency.

In order to show the disposition of the government to give effect to emigration, Mr. Labouchere proceeded to state the amount of the land revenues from New South Wales since 1831, when the new system was first set on foot, together with the sums expended in furnishing free passages. The system was not fully carried out until 1837, when the receipts were 127,866*l.*, of which 44,729*l.* were applied to emigration. In 1838, however, no less a sum than 110,000*l.* was devoted to this purpose. Twenty-four emigrant ships went out in the course of the same year, containing 6,500 people, and the total number of persons emigrating amounted to 10,000. This, said the right hon. member, was enough to show that the government was by no means wanting, at the same time that he thought it necessary to warn the house, that great temporary evil might occur by sending out emigrants in too great numbers without sufficient previous inquiry; and it appeared from the last despatch of Sir Vicary Gibbs, that, owing to the accidental circumstance of a long drought in New South Wales, there was no demand for labour, and people might be seen with their hands crossed, unable to find employment. Mr. Labouchere concluded by expressing a hope that Mr. Ward would rest contented with the

assurance that it was the intention of lord Normanby to examine the question, at his earliest leisure, in all its details, with a sincere desire to promote the best interests both of the mother country and the colony.

Mr. Warburton gave his support to the resolutions, at the same time that he dissented from that part of the projected plan which gave the power of raising loans by way of mortgage on the colonial revenues, because it would have the effect of raising a great demand for emigrant labour in the mother country, in those years when the capital thus received by loan was to be expended, and a slack one in the years when they had only the surplus annual income to apply; and it was of great importance, that the yearly demand for labourers and for transport shipping should be, as nearly as possible, either uniform or steadily progressive.

The resolutions obtained the countenance of Mr. C. Buller, and were opposed by sir Robert Inglis, and lord Howick, who complained that the second and third were expressed in terms far too absolute to be safely adopted, although he agreed, as indeed was the case with most of the members who had taken part in the discussion, with the general views embodied in them. The plan proposed by Mr. Ward of enforcing the policy for which he contended, relating to the occupation of land by the authority of parliament upon all the British colonies, was open in general to the gravest objections, and in the case of those in North America, which were already provided with legislatures of their own, could not but prove in the highest degree improper and impolitic. The system proposed in Mr. Wakefield's writings was no doubt by far the

wisest that could be adopted, but no one, he was sure, who was aware how very deep a prejudice pervaded the whole North American continent, in favour of giving every facility to the occupation of land, would attempt at once to run counter to this popular feeling, and enforce the introduction of a wise policy which could only be established by influence and persuasion. It ought moreover to be remembered, that since the crown revenues in the North American colonies had been ceded to the assemblies, the parliament had not power of interfering independently of their concurrence.

For these reasons, said lord Howick, the resolutions in question were inapplicable to the colonies in North America, nor were they so in a less degree to West Indian plantations. Even in the large island of Jamaica, of which so small a portion was yet occupied, not more than 5,000 acres were now remaining in the hands of the crown. The mere restriction therefore of the grants would of itself have but little effect, nor would there be any practical advantage in placing a high price upon the public lands, while such extensive tracts belonging to individuals might be brought into the market, and keep down their value by competition. The only method of discouraging the excessive occupation of land would be to lay a tax upon it, nor was it, indeed, probable that a regular supply of labour would ever be obtained in the majority of the West India colonies, until the greater part of the revenue necessary for the public service, should be raised by a direct impost upon the soil, instead of an indirect taxation.

Lord Howick went on to say, that he agreed with his hon. friend in thinking not only that land ought to be alienated exclusively by sale, but also that in the present state of the Australian colonies the encouragement of emigration was the most useful object to which the proceeds could be applied. He could not, however, consent to lay it down for an inflexible rule that the whole or even any given proportion of the revenue should be devoted to the last mentioned purpose. At present this might perhaps be desirable, but when the colony in the course of time increased in extent and population, the necessity for emigration would diminish, and the amount of expenditure required in preparing new tracts of land for the occupation of the native inhabitants would increase. It would, at any rate, said the noble viscount, be admitted that the expense of collecting the revenue must at all events be defrayed from this source, an important head, which included not only the cost of survey, but other very large items of expenditure for the formation of roads, and the building of bridges, schools, and churches which were necessary for the advantageous settlement of the country. The sums so laid out might justly be regarded as preparing more land for sale, and aug-

menting the future revenue, and as such means of communication and public buildings were absolutely necessary for the existence of civilized society, in the event of the requisite funds not being provided from the sales of land, they would, in the settlement of a colony, have to be defrayed by taxes, which every government, including that of the United States had found it very difficult and very disadvantageous to impose upon such infant communities. In short, the money proceeding from the sale of land in colonies ought to be considered as part of their capital, and laid out for their permanent improvement, instead of being applied with the rest of the ordinary revenue to the purpose of current expenditure.

Mr. Ward stated in reply, that if he had brought forward his motion at an earlier period of the session he should not have hesitated to test the soundness of his opinions by a division, but as it was not possible to legislate upon the subject that year, he would withdraw the resolutions, and leave the matter in the hands of government, hoping that they would so deal with it during the recess, as to make it unnecessary for any member to take it up again.

CHAPTER X.

Bill for the Suppression of the Portuguese Slave Trade—Speech of Lord Minto on the Second Reading—The Duke of Wellington opposes the Bill as unconstitutional—Lord Melbourne—Lord Minto—Motion rejected—Address to the Crown on the same subject, moved by Lord Brougham, and carried—Her Majesty's Answer read by the Duke of Argyle—A Second Measure brought in by Lord Palmerston—Second Reading moved by Lord Melbourne—Duke of Wellington continues his opposition—Speech of Lord Brougham—Bishop of London—Lord Chancellor—Lord Ellenborough—Bill Read a Second Time—Duke of Wellington's Protest—Lord Lyndhurst moves an Amendment in Committee on Clause 2, which was carried, after some Observations from Lord Brougham—Bill Read a Third Time, and passed, after another Protest signed by the Duke of Wellington and other Lords—Questions asked by the Marquess of Londonderry relating to Spanish Affairs—Explanation of the Earl of Clarendon—Speech of the Duke of Wellington—Motion of Lord Sandon for Papers referring to Mexico and Buenos Ayres—Speech of Lord Palmerston—Mr. E. Tennen's Amendment—Mr. Grote—Sir Samuel Lushington—Mr. C. Wood—Sir Robert Peel—Viscount Palmerston—Amendment withdrawn—Original Motion agreed to—Lord Strangford refers to the Blockade of Buenos Ayres—Lord Melbourne's Speech—Observations of Lord Ashburton—Subject dropped.

THE question of the Portuguese slave trade was first brought under the attention of the house of commons on the 8th of March, by sir Robert Inglis, who took occasion to remind lord Palmerston of the address which had been carried the year before on the same subject, and begged to be informed whether the government had succeeded in obtaining a treaty with Portugal, or were prepared to resort to the measures which the noble lord promised in the event

of the failure of such negotiations. The secretary for foreign affairs replied, that after four years spent in negotiation, a note had just been received from lord Howard de Walden, in which it was stated, that he no longer entertained any hopes of procuring the assent of the Portuguese cabinet to a treaty for the suppression of the traffic. It was therefore the intention of the government, after having laid on the table the whole of the papers relating to their intercourse

with Portugal, to introduce a bill, which should give to her majesty's cruisers and commissioners the same right of search, with regard to slave-trading vessels met with below the line, which they already possessed in the case of those which were found north of the equator.

A bill was accordingly introduced on the 10th of July, and passed throughout all its stages *sub silentio*, until it arrived at the second reading in the house of lords. On this occasion, the earl of Minto thought it necessary to make a short statement of the present condition of the law relating to the slave trade, and the existing treaties between Great Britain and Portugal, before he entered into any explanation of the objects of the present bill. The most important treaty was that of 1815. The slave trade was declared illegal, and Portugal undertook to bring about eventually its entire abolition, consenting in the meantime not to suffer her flag to be employed in that traffic for any other purpose than to furnish slaves for her own transatlantic dominions. In consideration of this concession, Great Britain agreed to remit the balance of a debt, amounting to 600,000*l.*, due by Portugal to this country; which was thus paid down to Portugal as the price of her compliance. Such were the principal provisions of the treaty; but we had as yet got no more than a promise of the future abolition of the slave trade. In 1817, however, an additional convention was entered into, defining still more precisely the limits within which the slave trade to the Brazils was to be exercised. The same convention also described the form of the licence and passport requisite for the ships en-

gaged in it; and the Portuguese government further undertook, within two months from the date of the treaty, to pass a law declaring the commerce in question unlawful, and subjecting persons implicated therein to punishment. It was, moreover, stipulated that, within a specified period, Portugal should treat with this country for the final abolition of the slave trade, and assimilate its legislation on the subject with that of Great Britain. There was, indeed, observed the noble earl, a separate article, under which Portugal, on the strength of an expression contained in it, resisted the claims of England; but he could not admit that the treaty contained anything that went to justify the resistance. When Portugal ceased to hold the Brazils, in point of fact, the slave trade ought to have been abolished in all Portuguese vessels, for there were no longer any transatlantic possessions to which the terms of the treaty would apply. To no part of the world, after her separation from the Brazils, could she carry slaves without a manifest breach of faith.

Lord Minto went on to say, that, notwithstanding those engagements, this traffic had been almost entirely carried on under the flags of Portugal and Spain. With the latter country, however, we had concluded a very efficient treaty, which gave us the power of seizing vessels equipped for the slave trade, without waiting till they had taken on board their miserable cargo, and there were hopes that this would have the effect of thoroughly extinguishing it. It was, therefore, extremely desirable that we should obtain similar conditions from Portugal, and he was bound to say, that the persons op-

posed to the abolition were not the Portuguese people, but certain influential parties who were interested in the maintenance of the contraband commerce, and continued to violate the treaty with the sanction of the Portuguese government.

Lord Minto proceeded to allege several instances in support of the last assertion. We mention two. When the Portuguese government determined to send a new governor to St. Thomas, how did their lordships think he was carried out? Why in a ship equipped as a slaver. On another occasion, a slaver was seized by one of our cruisers and brought into Rio Janeiro, but the courts refused to act, on the grounds that the ship and crew were both Portuguese. The British minister accordingly requested the Portuguese consul to punish the men for their violation of the laws of his own country; but this he refused to do. Nothing remained but to take the ship to Sierra Leone. She was condemned by the mixed commission court. The Portuguese government protested against this proceeding; and this reminded him of a difficulty which was provided for by a clause in the present bill. A court of mixed commission could only adjudicate in those cases where the national character of the vessel was clearly established, and the ship was proved to belong to one of the parties of which that tribunal was constituted. To meet such cases, it was there enacted, that a court of admiralty should have cognizance in all cases where a ship could not make good any legal national character.

In order to elude the requisitions which had been urged by this country for nearly four years for

the execution of the stipulations existing between the two nations, Portugal had made use of all manner of evasive demands. She had required, in the first place, a guarantee of her African possessions, on the ground that the execution of her engagements would involve the insecurity of those dependencies. An application of so unlimited a nature was of course not conceded; but in the event of any insubordination, we had declared our readiness to furnish any reasonable assistance short of an absolute guarantee. Upon this a further request was made, that Portugal should have the custody of the captured negroes on application. That for very obvious reasons was quite inadmissible. The last proposal on her part was, that a certain period, say eight or ten years, should be determined, during which the treaty should remain in force and the slave trade should be suppressed. An arrangement which could only lead to the eventual revival of the traffic. From this brief statement it would be seen, that no means existed of putting an end to the slave trade so long as the Portuguese flag was allowed to cover it. Slavers no doubt had been taken under the flag of Russia and the Congress. But the latter were very desirous to relieve themselves from this reproach; and in the United States, moreover, we could count upon an honest administration of the law. The Russian government had always said, "do what you please with any ship using the Russian flag for the purpose of carrying on this commerce;" and in a short time it was well known that a satisfactory treaty would be concluded with America. His lordship concluded, by entreating

the house to pass this bill, which had been introduced in redemption of the pledge given by government in the last session, and formed, moreover, an indispensable preliminary to any undertaking upon a greater scale.

The duke of Wellington admitted that the object of all the treaties of 1810, 1815 and 1817 was to arrive at the total suppression of the infamous traffic in question, nor could there be any doubt but that this country had a full right to call upon Portugal to carry the obligation she had contracted effectually into execution; he contended, however, that the right of enforcing the due observation of such provisions did not lie within the province of parliament. It was the proper office of the executive government, and the method of proceeding by enactment was unknown to the constitution, and contrary to the constant practice of former ministers. In such a case it was usual to enter into previous negotiations — there was usually a *projet* and a *contre-projet* or some other communication in a diplomatic form, and upon the reasonableness of the demands on the one side, or the refusals on the other, the government was fairly entitled to decide and to proceed to extremities, should their policy lead them so to do. Such a course in the present instance would have the advantage of laying the whole matter before the world, who would be able to pronounce upon the merits of the question, and ascertain what amount of concession on either side would put an end to the dispute, whereas, when we had once passed a bill, it became necessary to stand or fall by it. We could not recede from our law, nor would the Portuguese

submit to it, and this would end in the scandal of a war with our ancient ally. After maintaining that the house would further commit an act of great injustice in proceeding to legislate simply upon a recital of treaties contained in the preamble of the bill, presenting, as it did, no more than one side of the question, the duke directed their lordships' notice to a provision in it which he thought probably went beyond the intention of the noble earl. The clause in question made it lawful to detain any vessel whatever on suspicion on the high seas and demand their papers, and the persons exercising such authority were moreover indemnified from all the consequences. Was it intended that the vessels of any power in Europe might be searched and afterwards allowed to proceed on their voyage, whether we had treaties with those powers or not? Such a law, said the duke of Wellington, would be a perfect novelty in the legislation of this country, and the House ought to well pause before they adopted it. The noble viscount opposite he would recommend to take into consideration whether he would not rather bring down a message from the crown, in order to place the question upon its proper footing, that of a breach of treaty on the part of Portugal, with regard to which her majesty felt called upon to resort to extremities.

Lord Melbourne said, that the noble duke had apparently misconceived the nature of the bill. The object of it was only to empower her majesty to take certain steps if she thought fit. The bill did not bind her to adopt those measures, and, therefore, after the act was passed it would be as competent

for her majesty to proportion her measures to the necessities of the case, as if she had merely had to act as a belligerent by her prerogative. Every mode of treaty would be open to her under the present enactment just as much as in the other alternative, except that the irrevocable step would not have been taken, there would have been no declaration of war. It might moreover be added that Portugal had received due notice of what was intended to be done, and she could not with any justice complain of the course pursued.

The noble duke had objected to act without a full exposition of the matter. Why, said lord Melbourne, the whole case was already before the house. There were lying on the table statements upon statements, notes of our secretary for foreign affairs, and notes of the Portuguese secretary during the four years during which they had been engaged in this negotiation with Portugal. The whole result, in short, was in their hands. They were in possession of the version of the case on the part of Portugal, and the objections she had taken to the fulfilment of the treaties, provided she were not protected against certain specified contingencies which could not be looked upon as any thing but a mere attempt to evade the execution of the stipulations which she was bound in honour to carry into effect. It was to enforce these conditions that ministers had applied for the present measure which would no doubt confer upon them powers which they did not then possess. The noble duke, however, had maintained that it was a worse proceeding than a declaration of war, but, said lord Melbourne, it was to avoid this very necessity

that the present course had been adopted by them.

The duke explained that he had not wished to deliver any opinions upon the necessity of proceeding in this or any other way in order to enforce the treaty. He had, however, asserted that Portugal was bound to perform it, and the government would be justified in compelling its fulfilment in the usual constitutional manner.

The earl of Minto stated in reply, that government demanded from parliament nothing more than the power of exercising the prerogative of the crown in a particular way. The rejection of this bill would be an encouragement to the slave-traders, for although her majesty's cruisers might procure orders to seize any Portuguese vessels, they would nevertheless be liable to an action in our own courts, in the event of their doing so before a declaration of war. It was to protect the queen's subjects from the power of our own tribunals, and not against any foreign states, that the present act was required. The object, again, of the 4th clause was to describe what it was that constituted a slave vessel, and when it was liable to seizure. Was not this necessary? And then the 5th clause, which enacted that such ships should be broken up was almost equally so. Lord Minto concluded by declaring that without this measure, or one like to it, the prerogative could devise no means of putting an end to the Portuguese slave trade short of a declaration of war.

The house then divided, and the contents were 32, the not-contents 38, so the bill was lost by a majority of six.

On the following evening of the

2nd of August, lord Brougham arose to submit a resolution on the same subject to the house. The noble lord observed on this occasion, that a difference of opinion might very well exist with regard to the bill which had been just rejected—some might think it consistent with principle to reject the measure — others might require proof of the accuracy of various statements made in the recital, or they might be of opinion that it was not convenient to sanction such a preamble, at the same time that there was not the shadow of a difference as to the general necessity of terminating by every legitimate method the African slave trade carried on by Portugal and the Brazils. Nevertheless, said lord Brougham, if it went out to Portugal that the motion to which he adverted had been rejected by so venerable an authority, their lordships might be represented as giving a sanction, never contemplated by any one of them, to that atrocious traffic, and under this apprehension he would move,

“That an humble address be presented to her majesty, praying her majesty, by all the means within her majesty’s power, to negotiate with the governments of foreign nations, as well in America as in Europe, for their concurrence in effectually putting down the traffic in slaves, and also that her majesty will be graciously pleased to give such orders to her majesty’s cruisers, as may be most efficacious in stopping the said traffic, more especially that carried on under the Portuguese and Brazilian flags, or by the Brazilian and Portuguese ships; assuring her majesty that this house will cheerfully concur with the other house of parliament in whatever measure

might be rendered necessary, if her majesty shall be graciously pleased to comply with this prayer.”

The duke of Wellington stated that he had no objection to the first part of the resolution for an address to the crown, and he was quite willing to vote for any motion which should pledge the house to support her majesty in any measures she might think proper to adopt in order to put down the slave trade, but if the latter part of the resolution were to be taken in the sense in which the bill had been proposed, he should earnestly recommend their lordships not to support it.

Lord Brougham assured the noble duke, that in voting for the address he could not possibly stand committed to any thing beyond a general declaration of readiness to countenance the government in any legitimate attempt to abolish the slave trade, and after some observations from the marquess of Lansdowne, and the earls of Haddington and Minto, the resolution was agreed to, and ordered to be communicated to the other house of parliament.

On the 8th of August the duke of Argyll (as lord high steward of the household) announced that her majesty had been waited on with the address agreed to by their lordships, and had returned the following most gracious answer :—

“I receive this address with great satisfaction. I will direct orders to be given to my cruisers in accordance with your wishes, fully relying upon your assurance, that you will concur in the measures which will thus be rendered necessary.”

On the same night in the house of commons, viscount Palmerston moved for leave to introduce in ano-

ther bill in the place of that which they had ascertained by the committee appointed to search the lords' journals, had not passed the house of lords. The grounds of objection, as far as they had the means of judging, against the former bill had been two. It was contended, in the first place, that the proceeding ought to have originated in a recommendation of the crown to parliament, that difficulty would now be removed, because in answer to the address of the house of lords, there would be a communication from the crown conveying its intention to adopt the measures indicated in the resolution, and the proceedings would thus be placed upon the footing which the house of lords considered they ought to stand upon. The other exception taken was, that in the preamble of the bill, the two houses were called upon to pronounce a judgment upon the difference which had arisen between Great Britain and Portugal, whereas it was highly irregular to bring in the parliament as it were to espouse the opinion of the crown, and make itself answerable for a measure that exclusively devolved upon her majesty's responsible advisers. In order to obviate this objection the preamble of the present bill would be entirely parliamentary, and merely recite the expediency of giving certain powers to the crown and some courts of law, without entering into any question pending between the two countries.

The principal grounds, said lord Palmerston, of the measure before them, were the solemn and stringent engagements which Portugal had repeatedly contracted to co-operate in the abolition of the slave trade—stipulations, which it ought

to be remembered, were not conceded gratuitously on her part. We had made pecuniary sacrifices; and, besides the sum of 300,000*l.* assigned as compensation-money to Portuguese owners for the loss of their ships, we had paid to Portugal, on her own admission, as a nation, the price of 450,000*l.* for consenting to terminate the commerce in question. Instead, however, of making good these promises, she had violated them, he would venture to say, in a greater degree than any country in the history of the civilized world could be found ever to have broken through the solemn engagements of treaties. Far from suppressing, she encouraged that miserable trade, and not only did she connive at its continuance by her own officers, but the authorities actually encouraged and made money by it, and the fortunes accumulated by this very traffic had been the means of creating an influence of a political character at Lisbon, which swayed and overruled the government of the country. The flag of Portugal had been prostituted to the uses of every slave-trader that crossed the ocean, and covered the transportation of no less than 100,000 Africans from one side of the Atlantic to a state of slavery in Cuba and the Brazils on the other.

The several governments of Portugal had descended to pretexts the most frivolous, and allegations the most destitute of truth, in order to avoid the termination of the question. "At one time," said the noble viscount, we "say, make slave-trade piracy." "No," they reply, "we cannot, because it would be repugnant to our custom and feelings to put a slave-trader to death." We say, "We don't ask you to make it a capital offence,

but to subject it to a severe secondary punishment." Still they refuse. "Call it, then, a piratical offence." "No, that is an offensive term." We propose to extend the right of search by treaty. They would limit the treaty in point of time, for the obvious purpose of re-establishing the trade on its expiration. We propose to continue the mixed commission. "No," say they, "why retain it with us, when you have discontinued it with France?" But France is no longer engaged in the slave-trade. We ask them to consent that captured negroes should be placed under the superintendence of the mixed commission, in order that they should not, under the pretence of being made free, be converted into slaves. Portugal has refused. As soon as they have agreed to one proposition, and as soon as we, by some modification, have got rid of one objection, they have never failed to start another, and manifest, in short, a plain intention to take no step whatever to facilitate the great purpose we have in view. Then, continued the noble viscount, it was necessary for us to effect it by our own means. Notices they had had in abundance; it would be a mockery to give them more.

Although, however, the Portuguese administration had forfeited by their conduct their title to the esteem of all mankind, he could not believe so ill of them as to attribute it to any real disinclination to put an end to the trade; they were controlled by a domestic power stronger than themselves, and the nation at large took no share in it; and the line adopted by the British government would probably not be unacceptable to some of those persons, who might appear to be obstinate in resisting

our proposals. For Portugal, in truth, had no interest in this commerce; no colonies to be cultivated. She was an exporting, not an importing country, and the greater part of the ships that used her flag were the property of Spaniards and rapacious pirates of all nations, in whom Portugal, as a nation, had no more interest than ourselves.

The noble lord then proceeded to state the nature of the clauses in the bill, and observed that although the crown might undoubtedly, by its prerogative, take measures which would effectually put down Portuguese slavers, there would still be two inconveniences which would demand a remedy. For the officers acting under its orders would be exposed to harassing suits in the courts of law in London; and though we might capture ships and deal with them accordingly, it would not be proper for this country to dispose of vessels, which were the *prima facie* property of subjects of other states, without having proved before some court of record the grounds of such proceedings. An act was then required to define what constituted a slave-trader. It was not necessary for the slaves to be on board; a ship being equipped in a certain manner was an infallible proof that she was engaged in the slave-trade; but the courts of admiralty could not condemn a ship on that ground without an act of parliament. It was also requisite to enable the crown, by the same proceeding, to give to those who captured slave-vessels under this treaty bounties similar to those secured by conventions with other powers.

These provisions would suffice, said lord Palmerston, to put down the commerce carried on by the

Portuguese flag, and a great point would then be accomplished. After, indeed, that they had united all the flags in Christendom to put down this horrid traffic, the slavers might repudiate all flags, and divest themselves of every document, which might enable the captor to identify them with any particular nation. That would be the last refuge of despairing crime. He would propose a clause, by which a ship taken under those circumstances should be dealt with as if she were an English slave-trader, unless it appeared, in the course of trial, that she did belong to some particular state, in which event, the case would not be adjudicated by the court of admiralty, but dealt with as if at the outset she had been of the nation to which she was ultimately shown to belong.

When the nations of Europe, continued the noble viscount, were once united in giving a mutual right of search, or the power of condemning by a mixed commission, there would no longer remain any defence for carrying on the slave-trade under any European flag; and he went on to remind the house, that he had already concluded treaties with Chili, Grenada, and Venezuela, and stated that intelligence had arrived of a treaty lately made with Buenos Ayres. He had not yet procured from Mexico a treaty of execution: she had, however, stipulated to co-operate with us for the suppression of the traffic. And though the United States might, perhaps, still feel some little jealousy as to the right of search, (which, in their understanding, meant something differing widely from our impression,) the advances already made led him still to expect the cordial co-operation of that government in

an undertaking which would put an end to misery which no imagination could conceive, an enormity of human crime that no tongue could adequately describe.

After some observations from Dr. Lushington, sir R. Inglis, and captain Pechell, leave was given, and the bill was brought in and read a first time. The next evening it was read a second time, went through a committee, and the report was received.

On the 15th of August, after having requested that the address of the house of lords on the slave trade, together with her majesty's gracious answer, should be read, lord Melbourne moved the second reading of the slave-trade suppression bill. After explaining briefly the principal provisions of the substituted measure, the noble viscount stated, in a perspicuous manner, the case with regard to the conduct of Portugal, and concluded by observing, that in compliance with the prayer conveyed in the address which had been lately carried, her majesty had given directions to her cruisers to take the most efficacious steps for putting down the traffic. The present bill, therefore, was necessary in order to fulfil their lordships' own intentions and wishes, as expressed in their petition to the crown on this important subject.

The duke of Wellington continued to the bill before the house the opposition which he had exhibited to the former measure. It was, in his opinion, liable to the same objections; and he saw, moreover, in the several clauses of the present enactment, reasons for believing that the framers of the bill had not sufficiently attended to the treaties which were now in force between her majesty and nearly

all the powers of Europe for putting down the slave-trade. The first clause gave power to any person, no matter whom, if acting under the authority of the lord high admiral, not only to detain, for the purpose of examining papers, but to seize and capture the vessels of any nation whatever supposed to be connected with the slave-trade. He would now direct their attention to the treaty with France, which was substantially the same with those which England had contracted with Spain, the Hanse Towns, Denmark, Sardinia, Naples, and almost all the other powers of Europe, in order to show what the effect of it would be upon the provisions of that important convention. The treaty with France, then, put a limit to the time when and the place where the visitation of vessels for the examination of papers might be made; it was, in the next place, stipulated, that no person might detain any French vessel but the commander of one of her Majesty's ships specially provided with a special authorization for that purpose, which he was required to produce at the moment of boarding; another article restricted the number of commanders who were to have the right of search; and it was further provided, that the number and names of the vessels employed should be signified to France, as well as the names of their commanding officers, and no one beneath the rank of captain or lieutenant of the royal navy was qualified to visit. All these particulars, said the noble duke, had been entirely neglected in the bill before them. He would, however, go no further than the question of visitation, and he asked their lordships, whether it would be possible

for them to consent to the enactment of the first clause of this bill, when they took into consideration the stipulations of our treaty with France?

The most objectionable clause of the whole, however, was the fourth, which permitted any vessel to be seized, in whose equipment any circumstances, therein enumerated, should be discovered. Now, in all the treaties to which he had alluded, and particularly in that with France, upon which the rest were founded, provision was already made with regard to equipment; and, looking to those engagements, he was of opinion, that the fourth clause could never be carried into effect without a manifest breach of the compact into which we had entered with other nations. It was well known that with the United States we had no convention; there were, indeed, engagements made by diplomatic notes, but nothing went to show the least disposition on their part to permit the right of detention and search for papers; and if there was one point more to be avoided than another, it was that relating to the visitation of vessels belonging to the Union. The duke of Wellington warned the government not to proceed with this measure, but rather to issue an order in council, or a declaration of war, or even to apply to parliament, if necessary, to enable them to carry measures into operation under the treaties; but, in every case, let them take care, in granting this power of visitation, to place it within such limits as would leave no room for her majesty's intentions to be misconstrued by other nations. The duke, in conclusion, moved that the bill be read a second time that day six months.

Lord Brougham expressed his regret at the pertinacity of the duke of Wellington in continuing to oppose this measure, the difficulties, however, which had been stated were by no means insuperable. The preamble, for instance, might be amended by a very simple alteration. Her majesty's cruisers, it appeared, had already been commanded to repress this traffic, and the objection of the noble duke to the recital would therefore be obviated by giving the words a retrospective instead of a prospective form, as thus:—"And whereas her majesty has been pleased to issue orders to her cruisers to capture Portuguese vessels," &c. This would remove the main objection, because it stated, that the crown had actually given such directions, and would go on to call upon Parliament to take the proper measures for putting them in practice. Ministers would then be entitled to say, "We have taken the initiative and assume the whole responsibility, and we now call upon you to redeem the promise made in the address sent up to the crown." It might be said, that the preamble contained too extensive a sanction of the power of search, but the noble duke had not thought of limiting this right in the crown; on the contrary he called upon the crown to send down a message to convey its wishes—a proclamation to declare its will.—["*No, no.*"] The noble duke did certainly say so, but there really were some noble lords who seemed to forget everything in their extraordinary zeal against the repression of the slave-trade, or at least against the present measure.

It was an error, continued the noble lord, to suppose that this

bill would sanction any proceedings contrary to treaty. If a measure had become law, which contained provisions in contravention of articles contained in treaties with France or the Hanse Town, it would be mere waste-paper as regarded the law of nations, and could do no more than regulate the municipal rights of this country, and were any matter growing out of the operations of such an act to come before a judge who decided by international jurisprudence, instead of looking to any thing in the law of the land which might be contrary to the treaty, he would consider what was done by the law of nations, and pronounce accordingly. No treaty could be broken by mere act of parliament, and he was surprised that the noble duke, with his great sagacity and acuteness, should ground an argument upon it.

It could not be disguised that we were peculiarly situated with the United States, because we had not effected any treaty conferring the right of searching American vessels. No blame in the least was attached to ourselves on this account, and it should be borne in mind that the United States, at the very earliest hour that it was enabled to do so by the federal union, had adopted the abolition of the slave-trade, and were in fact the first power to make it piracy for any one of its subjects to carry it on. The government in the United States was not so strong as a monarchical government in Europe, nor had it such direct and powerful means of controlling its subjects. That country presented the most extensive coasts, and there were many inlets and harbours for their shipping into which they could get, almost

without the knowledge of the government, and it was to be feared that they would often be found too strong for the law, and a thirst of gold would often induce persons not only to risk their fortunes in this trade, but to stand the venture of the die, for incurring the deepest temporal loss, as well as the hazard of eternal perdition. The Americans, however, were not without responsibility. They did not indeed allow the use of their national flag, but they permitted their building yards to send forth swarms of slavers to infest the coast of Africa, or of ships, at any rate, which were notoriously intended for that employment. It appeared that almost all the slaving vessels were American built, and manned by Brazilian or Portuguese sailors, but the people might not after all be answerable for the purposes to which they were devoted, not more so, certainly, than an English ship-builder who sold vessels constructed in his yards, which were afterwards dispatched to the coast of Africa. It was, however, a very difficult question to grapple with, and he sincerely wished they could see their way. With respect, however, to the first part of the bill, the noble lord, would recommend that the consideration of the preamble and the next enacting clause, be postponed until they got into committee, when such alterations might be made as would remove some of the objections of the noble duke, and he wished that the bill might be made, to a considerable extent, effective for the great purpose in contemplation. Mr. Buxton, he was aware, was of opinion that the legislature had begun at the wrong end, and even questioned whether it would not have been better never

to have passed a law for the abolition of the traffic, and for the present, at least, to say no more on the subject, since every subsequent attempt to put down the foreign slave-trade had only tended to increase the number of slaving vessels, and exacerbate the horrors of the middle passage. The noble lord admitted the objection, but he continued to think that if they went further than they had hitherto proceeded, they would put down the slave-trade altogether. Was it possible, he exclaimed, that any one could think of waiting until the slave holding States of North and South America were sufficiently instructed to come over to their opinions, on the mere speculation that these people, perhaps at the end of a century, might open their eyes to the evils of slavery?

The bishop of London, who felt bound to support the ministerial measure, observed, that lord Brougham had misapprehended the views of those who concurred in the opinions of Mr. Buxton. That gentleman had only argued, that the efforts for suppressing the slave-trade had been successful only in a degree, without denying that those endeavours had been productive of the most important effects to the cause of humanity. One of their very useful suggestions was, that attempts should be made to civilize the African chiefs, so as to convince them that it would be more profitable for them to employ the labour of their subjects or prisoners than to sell them to slavery.

The lord Chancellor stated, that it by no means followed that because the enactments directed search to be made where it might be exercised, it would therefore be used where it might not be lawfully

enforced. The crown was equally bound by the treaties with France and other nations whatever became of the bill, but a bill was needed, because the mere issue of orders by her majesty would not indemnify her officers from the consequences of the proceedings taken upon the strength of them. The learned baron really thought that the refusal to pass the present bill after the resolutions had been agreed to, was conduct quite unintelligible.

Lord Ellenborough, however, spoke in favour of the amendment, and demanded that any orders which had been issued to her majesty's cruisers, should be laid before the house.

The earl of Minto confessed his astonishment at hearing the noble baron make a proposal which had been refused by every cabinet that had governed the country, and never insisted upon by the house. Lord Minto further observed, that the bill contained nothing calculated to excite the slightest jealousy on the part of the United States. A vessel, as lord Brougham had stated, was built in America and chartered at Havannah. From Havannah she went to the coast of Africa with an American captain. There she took in a cargo of slaves, and came away with a Portuguese or American flag. In five or six instances, ships of this sort had been stopped; but how had the Americans treated the capture of those vessels? The parties were taken to Boston, and the authorities, after declaring the slave-trade to be a piracy not to be tolerated in any christian country, requested our men to remain and give their evidence for the conviction of their delinquent subjects. So little was the danger of collision

with the United States. Lord Minto then gave a brief explanation of the several clauses of the bill, and, stated, in answer to a question from the earl of Galloway, that when the bill went into committee the recital would run — "That her majesty had thought fit." Lord Denman and lord Colville spoke in favour of the measure, and the earl of Wicklow gave his support to the amendment. The second reading was eventually carried by a majority of 11; there being 39 contents and of not-contents 28.

The duke of Wellington, however, entered an elaborate protest against the second reading, which was signed by lord Lyndhurst and several other noblemen. On the next evening of the 16th of Aug., when the bill was in committee, lord Lyndhurst moved an amendment with the intention of confining the operation of the bill to Portuguese vessels, and piratical vessels engaged in the slave-trade, by omitting, in the second clause, the words, "That in case her majesty should please to issue orders to her cruisers to capture Portuguese vessels engaged in the slave-trade, or vessels of any state whatever engaged in the slave-trade, not having on board, or the masters whereof should neglect to produce on demand, papers showing to the subjects of what state such vessels belong:" and placing in their room the words, "That in case her majesty should please to issue orders to her cruisers to capture Portuguese vessels engaged in the slave-trade, or any other vessels engaged in the slave-trade, and not justly entitled to claim the protection of any flag."

Lord Wicklow stated, that the great objection to the bill was not

that it gave any right of search which did not already exist, but that a parliamentary sanction was apparently afforded by it, to a practice which the crown ought to exercise on its own responsibility.

Lord Brougham mentioned some objections to the alterations proposed, but lord Lyndhurst persisted in his amendment, and the clauses of the bill were finally amended and agreed to.

On the 19th of August, the bill was read a third time without discussion; on the question, however, that the bill do pass, the duke of Wellington, who had put in another protest against the third reading, stated, that he still retained all the objections to the principles of the bill, which he had entertained at each of its previous stages. The measure still exhibited its criminal character. It was a breach of the law of nations—a violation of international treaties—and would go much further to encourage than to prevent the traffic against which its enactments were directed.

The bill was then passed, and on the 20th of August, the amendments were agreed to in the house of commons, on the motion of the chancellor of the exchequer.

On the 23rd of June, the marquess of Londonderry rose to put some questions with regard to the papers which had just been laid upon the table relating to the affairs of Spain, and the communications which, it appeared, had been entertained between her majesty's ministers and the three great powers, with the purpose of procuring the mitigation of the atrocious manner in which the war was conducted, or even the eventual termination of hostilities. These

overtures, it seemed, had issued in no practical result; and the noble marquess desired to know the reason of their failure. When a general measure consonant with humanity was proposed, there could not be any grounds for concluding that the quadruple treaty placed Great Britain in a position different from that of the other powers; and now, that both parties in Spain were so evenly balanced, and all men were agreed upon the wisdom of bringing the war to an end, he could not really see why the great powers should not succeed in effecting an arrangement.

The strictures of the noble marquess had the effect of eliciting an able speech from the earl of Clarendon. The noble earl began by observing, that as it was apparent by the papers, which had lain some weeks before the house without attracting the attention of lord Londonderry, that the object of the British government in alleviating the horrors of the civil wars had been fully achieved, it was just possible that the remarks which had fallen from the noble marquess proceeded less from any compassionate horror at the excesses which afflicted a portion of the peninsula, than from the apprehensions that, unless the mediation which he was so anxious to bring about were to be much deferred, it might arrive too late for the interest which he had so long protected. He might hope, perhaps, to cast his shield around a cause, which, from the pressure of external circumstances, and the disunion among the Carlists, and the recent conduct of Maroto, was on the point of falling to pieces, by endeavouring to place his protégé on the same footing with the queen of Spain, and invoking the intervention of

Europe, as if the belligerent parties were on terms of equality.

Lord Clarendon then went on to explain, by referring to the papers on the table, that, in compliance with the request of the Spanish government, the British administration had addressed itself to the three northern courts, in order to procure their intervention with Don Carlos to put a stop to the atrocities committed by his generals, which made retaliation on the part of the queen's officers a matter of melancholy necessity. The courts of Austria, Russia, and Prussia responded to the invitation thus made in a manner which did them infinite honour, and count Nesselrode, going still further, suggested in his despatch to count Pozzo di Borgo and his note to lord Clanricarde, that some measures should be taken for terminating the war. The noble viscount at the head of the foreign department was most anxious to avail himself of the indication of the Russian minister, but it was necessary, in the first place, to ascertain upon what basis Russia and the other powers would join with England and France in any negotiations, since it was clear that the two last-mentioned nations, who had recognized the queen of Spain and were parties to the quadruple treaty, could not recede from the solemn engagements which that convention imposed upon them. The noble marquess himself could not have admitted Don Carlos to treat upon equal terms with the queen, nor could he consider the government of England to be in the same position with that of Russia, which had acknowledged neither one party nor the other; and when, in answer to the inquiries of the

foreign secretary, count Nesselrode replied, that, for his part, he had no suggestions to make, the noble marquess himself must be too well aware of the value of a treaty to have acted otherwise, had he been in the place of lord Palmerston, or to take any further steps in the matter. The noble marquess might, perhaps, be aware of the existence of a protocol agreed to by the principal powers of Europe, and signed at Aix-la-Chapelle in 1815, by which it was specifically agreed, that if, in future, the interference of these powers should become desirable for the arrangement of the internal affairs of any other nation, such interference should never take place except at the express desire of that nation, whose representative should always assist at the deliberations of the congress which might assemble for the purpose. How, then, exclaimed lord Clarendon, could such a congress have been assembled, unasked for by Spain, and what Spanish representative could have attended such a convention? England and France, it was clear, could not have sanctioned any one but a plenipotentiary on the part of the queen, without admitting the claims of the pretender to be represented at the meeting. But would the northern powers have acquiesced in this, who had not acknowledged queen Isabella; and would they have any right to insist upon the presence of an agent of Don Carlos, when they did not recognise either? Whereas, if they were to allow the pretensions of the queen to be made the basis of their negotiations, the congress would be no longer necessary, for were the northern powers to withdraw their aid from Don Carlos, the civil war would soon be concluded.

The case of Belgium was not one in point, because all the powers had agreed upon the recognition of that kingdom, and this alone rendered their co-operation possible. The only effect, after all, of such an interference would, perhaps, have been, to unite all parties in Spain in defence of their menaced nationality. True it was, if the noble marquess really contemplated such a proceeding, that the combined armies of Europe might erect whatever system in Spain the congress thought fit to decree: but in the improbable event of such a scheme being put in practice, who could imagine that the government established by them would have endured one moment after the last foreign soldier had crossed the frontier? The noble marquess might rest assured, upon the experience of lord Clarendon, that the unsolicited intervention of foreigners in the political institutions of Spaniards would always prove a miserable failure, and most deservedly so.

Complaints had been made that the Eliot convention had not been extended to the whole of Spain. It was quite impossible; and those who talked like the noble marquess were really not aware of the facts. At all times of political disturbance in that country, said lord Clarendon, there never were wanting hands of malefactors, who started up in every quarter, and raised the standard of revolt in their own particular district, for the mere purposes of crime, and to have made the Eliot treaty applicable to such men would have at once more than quadrupled their numbers, by offering beforehand impunity for their offences. It would have led to every class of bad consequences, and never could have been carried

VOL. LXXXI.

into effect but in the Basque provinces, where two armies were in presence of each other, and dépôts of prisoners and a regular cartel for their exchange could be established. With regard to the disposition of the queen's generals in this particular, the noble earl declared upon his honour, that he had ever found all those with whom he had been in official relation, animated by the most creditable feelings, and most desirous to have the war carried on with humanity. It was very hard to confound such men, and their intentions and acts, with the hordes of banditti who sprung up on all sides, and received authority from Don Carlos, in order to carry pillage and devastation among the queen's loyal subjects; conduct which, after all, was only natural, for these persons come from the dregs of the people, and were dependent for existence and power upon their atrocities. It was shameful to confound such miscreants with men of humanity and enlightenment, and the outrage was deeply felt by them.

The noble earl then begged the house to remember, with regard to the statements made of Don Carlos' force, that the whole of Galicia, the Asturias, Leon, Estremadura, Upper Arragon, and the two Castiles were as tranquil as they ever had been at any period of Spanish history. The civil war existed only where it had been so long confined—in the Basque provinces, in a portion of Lower Arragon and Valencia, and in a small district of Catalonia, the whole of which was mountainous and most difficult of access. What, then, was to be thought of the assertion of his increasing power? and whether was it better, or more politic for any practical object, to place Don

[S]

Carlos upon an equal footing with the queen? In those parts of the country the war might still continue to be maintained for some time, and so long as it lasted the government would be feeble, and the whole nation would suffer for the affliction of a portion; but the end could not be doubtful, and no account could be given why peace had not already been restored, but that the Spaniards continued to make war in the same manner in which they used to do—the manner which must be familiar to all through the despatches of the noble duke opposite, which had, were that possible, placed the fame of the noble duke upon a basis more imperishable than that whereon it stood before.

There was no greater error, said lord Clarendon, than to suppose that the Spaniards were unfit for freedom, or adverse to a liberal form of government; their own municipal institutions were the freest and most popular in the world; they existed when the feudal system obtained throughout the rest of Europe, and were such as rendered men the most fit to be entrusted with liberty. Let any one, said the noble earl, compare the barbarous regimen which existed under Ferdinand when the priests exercised their tyranny without control—when correspondence with a relation exiled for his political opinions was punishable with death—when every domestic tie was loosened by the vilest espionage—when knowledge was criminal, and universities were closed, and colleges for bull-fighters opened; let any one place that system against the one which now prevailed, and he would find that the latter, imperfect as it was in many points, had produced popular

representation, free discussion, and a free press. It had produced what was before impossible—public opinion—and that had in a great measure corrected the corruption that was universal under the rule of Ferdinand. And what was the consequence? Life and property (except in the districts suffering from the civil war) were more secure—the revenues of Spain were more than one half greater than they had been ever known to be before; an enormous class of proprietors had been created by the sale of the national property, capital flowed into more useful channels—education and agriculture were making rapid advances—and, notwithstanding the calamities of war, Spain was at that moment laying a foundation for future prosperity incalculably more solid than at the time, when for her misfortune, she discovered America, and lost all stimulus to subsequent exertion.

Viscount Melbourne made some observations very much to the same effect. The duke of Wellington contended, that if her majesty's government had assumed the position in which she really stood by the quadruple treaty, that of a power that had acknowledged the right of the queen of Spain, and was bound by a certain treaty to give specified assistance, and giving that assistance, but at the same time doing no more, and remaining strictly neutral in all matters for carrying on the war, except under the circumstances specified by the treaty, her majesty's government, as he had all along maintained, must have had influence enough to put an end to the system of warfare which had so long shocked all mankind. The noble duke further observed that

lord Clarendon had misapprehended the relation in which this country stood to the great powers of Europe in consequence of the quadruple convention. It was said that we could not enter into treaty with them because we were parties to that compact. This, however, was a misstatement. The reason was, that England had made herself a belligerent party, while the northern powers, although they might be disposed to acknowledge the queen, were neutral in the contest. If England had confined herself to the quadruple treaty she might have entered into conferences with the other courts for the pacification of Spain. He did not call upon them to break the alliance—on the contrary, they ought to walk in it to the very letter, but he had never ceased to inculcate upon them that they ought not to put themselves into the position of belligerents—still less belligerents carrying on a little war. After a few words from lord Brougham the subject dropped.

On the 19th of March viscount Sandon brought forward the motion of which he had given notice, for the production of papers between certain merchants in connexion with the trade of Mexico and Buenos Ayres, and the members of her majesty's government whether abroad or in the department of the foreign office. He should not have thought of mixing up a subject of this nature with the question of the law of nations, and one for which he was not fitted by peculiar education, had he not been imperatively called upon to bring the question before the house. Before entering into the case he would allude in some degree to the proceedings both

with regard to Buenos Ayres and Mexico, which had preceded the blockade, the effect of which all who were engaged in British commerce had such reason to deplore. At the same time it was not the business of that house to enter into the policy of a foreign country except as it regarded the interests of this. In respect to Buenos Ayres, for a long period of time France had shown a desire to possess considerable influence in the River Plata, which was evinced not only in the state papers published in 1820 and 1821, but also in the communications on the subject with M. Chateaubriand. In the latter year, under the administration of that minister, the French government entered into negotiations for the purpose of establishing a Bourbon dynasty in that devoted colony. As soon as this was discovered, Mr. Canning the then minister of England made a communication of a most decided character, enquiring if such was the intention of France, to which M. Chateaubriand gave a denial, but subsequently that distinguished man confessed his denial was not founded on fact, and that his intrigues in France had that object. This early proceeding gave an insight into the notions of the transactions which France had been lately carrying on in Buenos Ayres. It was a remarkable fact that France had throughout interfered in the internal divisions of that state. She had received the minister who had been driven by the acts of his government to seek refuge in France, where he remained for a considerable time with other refugees, and with them had now returned to Buenos Ayres under the protection of the French flag. The ostensible causes of the differ-

ences between these countries were, on the part of France, the protection of some of her subjects who had settled within the district of Buenos Ayres from being called on to serve in the militia, and the securing for them the right of retail trade. France also sought for indemnity for some injuries which particular individuals of that nation had suffered. But greatly predominating over all these, was the imposition on the state of Buenos Ayres of a treaty of commerce similar to that engaged by Great Britain. With regard to the individual cases alluded to, they appeared exceedingly trifling and not such as to warrant the proceedings which had been taken. One man had entered into the service of the state of Buenos Ayres, had betrayed his trust and was thrown into prison. Another case was that of a Frenchman, sutler to the Buenos Ayres army, who being convicted of robbing the mess was also imprisoned. He conceived in such cases the French government had no right to interfere. Neither had any nation a right to impose on another country a treaty of commerce, and make the refusal of it a cause of war. After a great deal of negotiation backwards and forwards, the French admiral charged with the treaty being on the point of coming to terms, some discontented chiefs of Buenos Ayres or Monte Video had interposed and broken off the amicable negotiation, and measures of a hostile tendency were then entered into. It was a remarkable circumstance in this transaction that France, not content with the simple question of blockade, had condescended to associate her flag with that of individuals actually in rebellion with the government,

and in concert with them had in one moment overturned the government at Monte Video with which she was at peace, and had seized the island of Martin Garcia in the river Plata, where the French flag was now flying, had sent down troops and workmen to erect fortifications there, and from this position commanded the river Plata and its whole commerce. These facts justified the statements made at the outset, that the proceedings in South America were not for the purposes avowed by the French government, but were a continuation of the plan acted upon, though disavowed by it in 1821 to get possession of some portion of the South American States. The disputes of France with Mexico were of much the same nature as those with Buenos Ayres, though certainly the former had given them greater cause for complaint. France as well as other nations in dealing with Mexico had much reason to be dissatisfied; he had himself had on several occasions to complain on the part of his constituents of the injustice of the Mexican government. It had levied forced loans without distinction of the subjects of other nations justifying the proceeding on the plea of necessity. In fact like other half civilized states, Mexico was not in a condition to afford adequate protection to foreigners; still France was not justified in proceeding to such extremities. Lord Sandon said he would not enter into a detailed examination of the grounds stated by France for her blockade of the coasts of Mexico, but it could not be denied that the French government, whatever might have been the real ground of dispute, had made an attempt to extort commercial ad-

advantages, under pretext of redressing individual grievances.

After a good deal of negotiation on this subject, a blockade of the Mexican ports was notified by France in May last, and was made, in the first instance, with a force not sufficient, in his opinion, to justify her Majesty's government in acknowledging it at first; afterwards, a force competent to an effective blockade had been sent out under admiral Baudin. The question he would raise on this part of the case was, whether, in the first instance, Great Britain was called upon to recognise the blockade with such breathless haste as it had done; and next, whether, considering the great amount of British interests at stake, the French had any just ground for a blockade; and whether, at first, their force was sufficient to be effective. The noble lord observed, he was but little skilled in questions of international law, but he had looked into many writers of authority on these subjects, and notwithstanding the practice which had lately been resorted to, of blockading on slight occasions, and before a declaration of war, he found a decided opinion that a blockade was a purely belligerent right. In the decisions of sir William Scott, he found blockade had always been held as an extreme right of war, as it inflicted so much injury, not only on the nation whose ports were blockaded, but also on the interests of neutral powers.

This was also the opinion of Bynkershoek. All authoritative writers on the law of nations admitted, that a blockade to be recognised must be effective not only for one, but for all the ports declared to be blockaded. In 1821,

a blockade had been proclaimed by the Spanish government, of the ports in the Rio de la Plata. Admiral Rowley, at the head of the naval force, addressed a remonstrance to the Spanish officer in command, of the blockade. In which he protested against the legality of the blockade, and declared he would resist it. That legality, he asserted, depended on the power of the blockading force, to prevent any vessel from going in or coming out of the blockaded ports without great risk. Now lord Sandon said, he wanted to know, whether a similar course had been adopted with respect to the blockade of the ports of Mexico. The language of sir W. Scott on the same subject was, that the besieging force must be applied to all the ports. It was very doubtful whether the French blockading force could extend to all the ports of Mexico, particularly the northern.

The first communication to government on the subject was the remonstrance from the merchants of Liverpool. They claimed that protection to which British vessels were entitled, and they added that a short time before the date of their memorial (in June), there was not a British ship of war off any of the ports of Mexico. That several vessels richly laden, which had sailed from our shores in March, had been warned off the coast, and that the Americans, taking advantage of their proximity, were reaping the benefits of their exclusion, by supplying Mexico with articles which formerly were supplied by us, and this supply was carried on by a contraband trade with the smaller Mexican ports. It might be expected that the secretary for foreign affairs would at least have assured the merchants, that all

means should be taken to protect British commerce with Mexico, which, from Liverpool alone, was worth half a million annually; but even that small consolation was not afforded them. They received an answer acknowledging the receipt of their memorial, and stating that the French government, in blockading the ports of Mexico, had not exceeded any of those maritime or international laws which Great Britain had often acted upon in her blockades. That there was therefore no ground of complaint on the part of the merchants, or any right of interference with France by this government.

In the month of August, an application had been made to the admiralty by parties connected with the Mexican trade, and the assistance of a packet was sought, to bring specie from Mexico, a privilege which had been granted to American merchants. The applicants were told by the secretary to the admiralty, that, having laid their letter desiring further protection for British commerce to Mexico, before their lordships, they had directed him to state, they saw no ground for interfering with the French blockade. If so, then, why had a British force been sent there since; or what necessity existed for our maintaining a force there at all? His friends, however, not satisfied with the answers they had received from government, had again pressed the subject upon the ministers, and complained of the privilege of carrying out specie, notwithstanding the blockade, being enjoyed by the American ships, although the British vessels were deprived of it. But slow were the government in answering these complaints; and when they did so, they appeared to take the

part of the French instead of evincing a desire to protect the British interests.

The merchants in Liverpool and London were not satisfied with the assurances they received from government that this blockade was effectual, and quoted several instances to the contrary, as that the port of Tampico had been thirty or forty days without any vessel. To this they received for answer, that the blockade was not to be considered ineffectual because, by stress of wind and weather, vessels had been prevented from occupying certain ports; but surely it was not for government thus to excuse the inefficiency of the blockade.

There was also another point relative to the port of Laguna; it appeared, that at that place there was not a single ship until the 30th of May, although it was the only port for the important article of logwood. Lord Sandon said, that last year he had presented a petition from his own constituents, signed by persons of all parties, complaining in general terms of the want of protection which the government had extended to that branch of commerce; and, in his opinion, they were justified in their complaint.

He, therefore, felt himself entitled to call upon her majesty's government "for copies of any memorials addressed to her majesty's secretary of state for foreign affairs, by British merchants trading with Mexico and Buenos Ayres, praying for his interference to protect British commerce against the effect of blockades established in the ports of those countries by the government of France, together with the correspondence with the said merchants arising thereon."

He should also like to ascertain the amount of British force present in the bay of Vera Cruz, at the time of the taking of the castle of St. Juan d'Ulloa by the French squadron under admiral Baudin, and at the taking of Vera Cruz by the same squadron. He also desired to know the tone of the noble secretary's remonstrance with the French government; and whether, in his negotiations, he had maintained the same British tone as he had exhibited in that house on the subject.

Viscount Palmerston said, with regard to the greater part of the documents, he offered no objection to their production, but he considered it would not be consistent with the interests of the public service to produce copies of the communications pending between the English and French governments on the subject alluded to by the noble lord. He concurred in the principle, that the act of blockade was that of a belligerent party, and also that in order to be respected it ought to be effective; but he differed from the noble lord with respect to the application of his principle: and in reference to the blockades mentioned by him, government had not acted merely on its own responsibility, but had consulted the law advisers of the crown, and by their opinion had been guided.

By notifying to British merchants the state of blockade of the ports of South America, government had not sanctioned that blockade; the only object, and the only effect of that notification was, to warn our merchants of the danger which might possibly arise from any attempt on their part to break the blockade. Such was the case with regard to Tampico, and

he conceived that government had only performed its duty in cautioning the British merchants against the possibility of risk, which they might have incurred in sending their ships from this country to South America in ignorance of the existence of a blockade. If, on the contrary, ministers had adopted the course advised by the noble lord, and had said to the British merchants, "Go and enter the ports with your ships;" they would not only have taken upon themselves, but would have put upon the country the responsibility of going to war with France, in support of the claims of any British merchant whose ship might have been taken on entering the port of Tampico when in a state of blockade. The position of France and Mexico, previous to the imposition of the blockade, was such, that those two parties might virtually be considered in a state of war: because France having announced, that if certain demands made by her were not acceded to, the commander of her naval force would be authorised, by his instructions, to take certain steps in order to procure the redress which was sought, he conceived when compliance with those demands was refused, war was the necessary consequence. Therefore, blockade was not a measure of coercion during peace, but must be looked upon as a step taken by a party in a state of war, and on that ground the blockade was legal and justifiable.

With regard to the effectiveness of the blockade, he must observe, that from the commencement a sufficient force had been maintained by France for the blockade of the Mexican ports. It might be true, that during a certain period Tampico was not blockaded,

but he put it again to the house, whether government would have been justified in advising British merchants to send their property to a place, which, most likely, would be in a state of blockade when their ships arrived there. It was true, that for some time past the Mexican government had given the English government frequent cause to complain of grievous injustice committed on British subjects; and therefore it would be drawing too hasty a conclusion to infer, that the government of France might not, in consequence of the complaints of the subjects of that country meeting with no attention, have felt itself justified in bringing such a state of things to a definite termination. The noble lord imagined, that the object of France was to form a permanent establishment in the island of Martin Garcia; but assurances of the most formal character had been given that France did not, and never had intended, to retain any portion of the territory of Buenos Ayres or Mexico. With respect to Buenos Ayres, the British government had for a considerable time been endeavouring to bring about some accommodation between the hostile powers, which constituted an additional reason why he should not enter into any detailed discussion regarding these parties. When the dispute first arose between France and Mexico, it was well known the English government offered its mediation, which was declined in the first instance by the French minister in Mexico. That mediation was, however, subsequently admitted, and our *chargé d'affaires*, Mr. Ashburnham, was instructed to effect an accommodation between the parties, which duty he dis-

charged with considerable success. The charge against the government of having no ships upon the station during the invasion of Mexico was ill-founded, for the British ships had watched the progress of the blockade, and had received orders from the government, which had been fully carried into effect. In September, they were informed that a large French force was going out to Mexico; and that it was probable that hostilities would be commenced against San Juan d'Ulloa, and that in consequence the British government had sent out a larger naval force—not to oblige the French to abandon hostilities, for that would have been to commence war between France and England, but in order to give a greater moral weight to the negotiations which were carrying on.

With regard to the right of blockade, England was not the power which ought to call it in question. He had a list of between thirty and forty blockades established by England during the late war.—[*Hear. Sir R. Peel*: “Yes in a time of war.”] Certainly, said lord Palmerston, it was during the war, but France and Mexico were in a state of war, and did the right hon. baronet think that England had never established a blockade without a formal declaration of war?

He most positively denied, that there had been any want of attention on the part of the government to the commercial interests of the country. They had laboured assiduously to put an end to a contest between other powers which was injurious to the interests of England, and to effect an accommodation between France and Mexico.

The noble lord had said, that

this war explained the falling off which he stated to have taken place in the revenue of England, but he defied him to prove that position; and, on the point, would refer the noble lord to the right hon. baronet the member for Tamworth, who, by returns which he had brought forward on a late occasion, would prove to his satisfaction, that in 1838, the year of the blockade, the commerce of England had greatly increased, and that, in truth, it had not been attended with any injurious effects on the revenues of this country.

Mr. E. Tennent wished to move an amendment for further papers, illustrative of the nature of French proceedings. It was a startling fact, that France, within the last twelve months and during a period of profound peace, should have possessed herself, by blockade or forcible occupation, of upwards of 2000 miles of the eastern coast of South America, including the entire Gulf of Mexico, with its important sea-ports, and the two greatest navigable rivers in the universe, the Amazon and La Plata.

Considering the whole circumstances of the recent French aggressions in South America, not in Mexico only, but also in Buenos Ayres and in Brazil, he had never yet met with a case in which weak and fraudulent grounds of quarrel had been followed up with such arrogance and want of faith. The dispute with Mexico sprung originally out of the positive weakness of that young and disturbed state, and the demand for reparation had been followed up by France with all the pertinacity of a designing power, conscious of its own overwhelming strength.

The original demand urged by France was for compensation to

French subjects for injuries alleged to have been sustained by them during an insurrection in Mexico in the year 1828, just ten years since; and although the amount originally demanded was but 122,590 dollars, some idea might be formed of the base principle on which the indemnity must have been estimated, when no less than 74,000 dollars, or about 16,000*l.* sterling, out of the amount, was awarded to one French bookseller, as a compensation for books stated by him to have been carried off by the rioters. Another item was a sum of 20,000 dollars, or about 4,000*l.*, to a pastrycook for sweetmeats devoured by the soldiers during the tumult. The matter remained unsettled till 1836, when the baron Deffandis arrived in the Gulf as minister plenipotentiary of France, followed by a formidable naval force. The claim then suddenly expanded from 120,000 dollars to 170,000; and during the two years of fruitless negotiation which ensued, it amounted to the immense sum of 600,000 dollars, by the admission of every complainant who chose to prefer his claims for compensation to the French authorities. The Mexican government found further postponement to be impossible, when a formidable French force was anchored in their roadstead, and they at once admitted the principle of the injuries alleged, and proposed to refer the amount of compensation to a commission formed half of Mexican and half of French subjects. This proposition was rejected by M. Deffandis. The Mexicans then intreated him to admit the inter-mediation of any disinterested power, and America and England were each understood to have offered their interference; but even

this proposal was contumeliously rejected.

M. Deffandis was speedily superseded by admiral Baudin, with a formidable naval force, which arrived from Brest in October last year; and, after a few preliminary forms of pretended negotiation, hostilities commenced by the bombardment and capture of the island-fortress of San Juan d'Ulloa, and the subsequent reduction of Vera Cruz; and, to this hour, France held possession of the entire Gulf of Mexico, from the mouth of the Mississippi to the bay of Campeachy, with the sole exception, he believed, of Tampico, which being in insurrection against the Mexican government, was supposed to have some sympathy with the invaders. Not one package of goods shipped from this country to Mexico in the year 1838 had been permitted to be landed in the ordinary way, and in January last, at the period when the last advices left, no less than thirty British vessels were hovering off the Gulf, with English goods on board to the value of 750,000*l*. Mr. E. Tennent said, he would not have called the attention of the house to these details on Mexico, were it not for the purpose of exhibiting the striking similarity of proceeding with which France had attacked the other states of South America, upon equally frivolous grounds, and still held possession of their territory with equal pertinacity. Her assault upon Buenos Ayres originated in the most unfounded assumptions. She demanded satisfaction from the Argentine Confederation for the alleged false imprisonment of French subjects, and, secondly, for their forcible enrolment in the state militia. It was demonstrated to her in reply, that not one single

subject of France was enrolled in the forces of Buenos Ayres, and that two only were incarcerated in her prisons: one, a sutler on a charge of robbery; the other a soldier condemned for assassination. Even after this satisfactory explanation, admiral Le Blanc, in 1838, persisted in directing his forces to the mouth of the river La Plata, took possession of the island Martin Garcia, and to this hour enforced a strict blockade, to the utter exclusion of all European commerce. Large shipments, designed for Buenos Ayres and Mexico, had, on the commencement of hostilities, been sent home undelivered, with the entire loss of freight and interest, and the danger of forfeited insurance. Our manufactures at home were also likely to suffer. The enormous British capital lent to the Mexican government, or embarked in mining speculations in that country, amounting to ten millions sterling, had been placed in the utmost peril by the interruption of the custom-house receipts on which the loans were secured, and by the prohibition of importing quicksilver, without which the mines could not be worked. The hon. gentleman concluded by moving, in addition to the papers sought by the noble lord relative to Buenos Ayres and Mexico, for "Copies of any communications received from the government of France or that of Brazil, relative to the claims advanced by the latter to a portion of Portuguese Guiana, and of any reference sought by either party to the arbitration of England, (conformably to the terms of the treaty of Paris in 1817,) previous to the recent military occupation of Portuguese Guiana by a French force. Also, copies of any despatches or corre-

pendence from the British minister resident at Rio Janeiro, on the subject of the indemnification of British subjects resident at Para, for losses sustained during the insurrectionary movements against the Brazilian government in 1835.

Mr. Grote said, although he perfectly felt the necessity of speaking of existing circumstances under the conviction that what was said in London was read in Paris and at Washington, still, when the opinions of British merchants, who felt themselves to be seriously injured by the policy of the government, was strongly expressed, it was absolutely necessary that they should find an echo in that house. There were three points about this case which rendered it impossible for those sufferers by the present state of affairs in Mexico to remain silent. First, the extent of inconvenience they suffered. Next, the conviction that the blockade enforced against Buenos Ayres did not repose on any solid, well-grounded cause of complaint; and, thirdly, there had been a want of alacrity on the part of the government to extend protection to the British merchants, by not keeping up that amount of naval force which the circumstance required. No less than seven large mining establishments were conducted altogether by British capital. These mines furnished, he believed, nearly the whole supply of silver which now came to England, which amounted to from eight to ten millions of dollars annually, whilst the imports from Buenos Ayres were not less in value than 700,000*l.* annually. The whole of this trade had been entirely put a stop to by the blockade of Vera Cruz and Buenos Ayres. It seemed to him, that the French government,

throughout their dispute with those two states, mixed up with their demand for redress for an alleged private wrong an attempt to establish certain principles for the future. Their conduct, in respect to the blockade against Mexico, appeared to the British merchants still more unaccountable, when they were informed that, with respect to the port of Callao, on the western coast of America, they were acting upon totally different principles. The French commander on that coast had refused to recognise an efficient blockade established by the government of Chili, and had actually taken into that port French and Chilian merchant-vessels, although there was a sufficient Chilian force there, which proved that the French naval commanders were not disposed to acknowledge the same rule in their own case, which they enforced against others.

Sir Stephen Lushington said, he entirely agreed in many of the observations made by the noble lord, the member for Liverpool, that the most unjustifiable pretences had been set up by the French government, and claims made upon the state of Buenos Ayres which they never would have ventured to have made against any country competent to defend itself. He had never heard that it was a matter of absolute right, that the inhabitants of one country should live in another country and receive the aid and protection of its laws, but that it was a permission to be conceded upon terms, and according to the discretion of the country which gave that permission. Above all things it was unprecedented that in affairs between nations, it was to be permitted for one state to say to another, "I will have a commercial treaty from

you whether you will or not." The pretences with respect to Buenos Ayres which France had set up in justification of her conduct were frivolous and unfounded. Let them mark what might be the conduct of France, if that power were determined to injure the commerce of this country. It might blockade every port in the world with which England carried on trade, upon similar frivolous pretences, and thus effectually destroy British commerce. The noble lord had stated, that the relations between France and Mexico were in reality those of war. When a nation was at war with another it had a right to make reprisals. France had availed herself of all the advantages of peace and amicable relations on the one part with a third power, and exposed that third power to all the disadvantages of war on the other, and having done so had violated the usages of nations. Fault had been found with his noble friend by the noble lord opposite, that although he had received information of the blockade not having been duly maintained, he had not notified the circumstance, and resting on an opinion which he drew from lord Stowell, the noble lord had stated, that if the blockade was not maintained in such a form as to make it dangerous for any vessel to enter the port blockaded, that then the blockade could not be maintained, as it had not been supported by an adequate force. To talk of a blockade proclaimed as extending over a whole district and of being in force when the blockading force had been absent for some months, would no doubt be vague, nugatory, and absurd. The only exceptions allowed in such cases were stress of weather and storms. But

suppose that his noble friend had sent intimation to the merchants of this country, that the blockade had not been duly maintained, and that twenty or thirty vessels in consequence had been despatched to Vera Cruz and found on their arrival they could not gain admission into the harbour, and had been compelled to return without delivering their cargoes, what, he asked, would have been said to the conduct of his noble friend? "

Mr. Alderman Thompson said, he held in his hand a letter from a British merchant who was at Vera Cruz at the time of the bombardment of St. Juan D'Ulloa. The letter was addressed to his partner, and bore date November 27th, the day of the attack. It stated, that the Express packet arrived that day, that her majesty's sloop the Satellite, had arrived on the 25th, and at the instance of several British merchants, her commander had been induced to remain for one day, but said that he could not possibly remain any longer. "Look," said the writer of this letter, "at our unfortunate condition; see how utterly we are deserted by the British government; we are without even a boat to enable us to get on board the packet." The letter proceeds to state, that through the assistance of the French consul a boat was procured at Sacrificios for that purpose, and adds, that the United States had three ships of war on that station while England had not one.

Mr. C. Wood made a short speech in defence of the Admiralty and said, that no injury had been sustained by British interests from the want of a sufficient force.

After a few remarks from Mr. Ward, lord Eliot, and sir de Lacy Evans, Sir Robert Peel said, the

impression which the debate had produced upon his mind was, that there was very little use in having either a British fleet or a British consul at a foreign station, for it had been contended, that however great a force we might have had in the Gulf of Mexico, it could have afforded no protection to British commerce in that part of the world. For what purpose then did we maintain a peace establishment, if it was not for the protection of British commerce in all parts of the world?

The noble lord had stated, that after the capture of St. Juan D'Ulloa, such alarm spread among the British residents at Vera Cruz, that all of them except the consul, left the town and removed as far as possible with all their moveables. Then, he asked, when such alarms prevailed, what naval power had we upon the spot, not for the purpose of engaging in hostilities against France or for interfering with the blockade, but merely for affording protection to our own subjects which France herself would have permitted us to do? Among the papers already presented, he found a letter, dated July, addressed to the lords of the admiralty, by persons deeply interested in the trade of Mexico, in which it was stated that captain Kirk, with a cargo to the value of 50,000*l.* had returned to Liverpool, having been warned by a French squadron. The captain was permitted to land at Vera Cruz, for the purpose of having an interview with the consignees, but his landing was effected solely through the kindness of the captain of an American brig, who sent his boat to convey the English captain to, and from the town. If this were the case, how advantageous to British commerce would

have been the presence of a British sloop of war.

The noble lord said, had we sent a British squadron to the Gulf of Mexico it would have afforded no defence to the place, unless we were prepared to issue a declaration of war against France.

Sir Robert said, he was the last person to wish for any intimation of war with that country, but his desire to preserve with her the most amicable relations would never prevent his expressing his opinion of the conduct of France when circumstances required it.

Viscount Palmerston said, the right hon. baronet had misunderstood him if he supposed it was his opinion that we had no alternative between tacit acquiescence and war with France. All he meant was, that the arguments used by hon. gentlemen opposite appeared to lead to such a conclusion. In fact, he had combated those arguments, and had also stated his belief that there was another course—the amicable interposition of our good offices between the two parties.

The right hon. baronet had quoted the case of the captain of a merchantman who had landed during the blockade of Vera Cruz, and in the absence of a British man of war had been put on shore by an American boat, but of course he must be aware that it would have been impossible for the individual to have got on shore at Vera Cruz from a British man of war, without the consent of the blockading squadron. But even as to this, the return which the right hon. baronet held in his hand showed, that in the month of June or early in July, a British man of war sailed from Jamaica and had arrived at Vera Cruz not long after. The fact that many peo-

ple withdrew during the interval between the dismantling of the town and the capture of the fort, proved there was ample time for the British residents to retire, and he had heard of no losses sustained by any individual. One word as to the amendment proposed by Mr. E. Tennent. He certainly objected to the production of the papers. The hon. gentleman had asked, whether any application had been made to the two governments to confirm the treaty of 1817, to this he must reply that no such application had been made. By the treaty of Vienna—for the provisions of the treaty of Utrecht had long since lapsed—and by the 107th article of that treaty, the prince regent of Portugal and the Brazils, to manifest in the most indisputable manner, his consideration for the king of France, agreed to restore Guiana up to the river Amazon in the 4th and 5th degree of northern latitude, being the same limitation as it was considered was imposed on Portugal by the treaty of Utrecht.

The state of the case between France and Brazil was this: compensation never having been made, the French government recently took possession of the contested territory, not however to the extent supposed by the hon. member for Belfast, for lord Palmerston thought, that the portion of territory occupied by them was very far short of the mouth of the Amazon.

A negotiation was at the present moment going on between the two governments, as also between this country and France. Pending that negotiation it would not be consistent with the claims of the public service, to consent to the production of the additional papers

moved for by the hon. member for Belfast. He therefore felt it his duty to object to their being produced.

Amendment withdrawn. Original motion agreed to.

On the 18th of July, viscount Strangford called the attention of the house of lords to the protracted blockade which the French had established at Buenos Ayres. He would not then, he said, call into question the justice of the demands which France had made upon that republic; what he now complained of were the unwarrantable measures by which she had pursued an object which in itself might perhaps be perfectly equitable. It was a matter, for instance, resting upon documentary evidence that the civil war to which, in addition to the pressure of external hostilities, that state was now subjected, had been fomented by the agency of the servants of France. It was well known that the French had taken possession of the island of Martin Garcia. Lord Granville in a note March 7, 1839, demanded an explanation of count Molé. That minister made immediate answer that no intention existed on the part of the king of France to retain the island in permanent property, or to alter the state of possession as between the Argentine republic and that of Buenos Ayres. And yet, notwithstanding this plain declaration, France had subsequently handed over the island to the revolted subjects of Buenos Ayres as a reward for the rebellion which her own agents had fomented.

The system moreover of blockade which had been instituted was in direct contravention of the law of nations. It was admitted on all hands that no ship of any nation was exempted from the operation

of an impartial blockade. In this case, however, the only flag exempted was that of those very insurgents whom France had herself instigated to revolt, and still maintained in their insubordination by the offer of a free passage to their ships so long as the obstruction lasted. Moreover, pursued the noble viscount, the conduct of the French had been a violation of the treaty of Buenos Ayres, and of those boundaries secured by Great Britain herself at the last treaty of peace between that state and Brazil. France had no right to parcel out the boundaries of these small states, and disturb the balance of power which was no less essential in South America than in Europe. And he might further remark that the French were acting a most inconsistent part in clamouring for a treaty of commerce at the same time that they had reduced the Argentine republic to a state of nullity, and prevented all power of obtaining consent by absconding many of the states from the parent government which was founded upon the principle of delegation. This was not all; a number of small British vessels, or vessels at least under the British flag, and with British authorities on board, had been seized and brought into Monte Video to be sold. The lawful governor refusing to allow the sale to proceed, what did they do? They put down this upright functionary, and set another in his place, who, without farther inquiry, upon the simple fact of their being carried in as prizes, allowed the adjudication and sale forthwith to take place. It would also be well, continued lord Strangford, to bear in mind the great detriment which the mercantile interests of England

had suffered from the obstruction which had existed for the last sixteen months to our commerce with a country which received more of our manufactured goods than any other port of South America. Nor was there any apparent prospect of a settlement while the interests of Great Britain were so imperfectly protected on that station by no more in fact than three sloops of war which had never yet been seen together. The case was the same with Mexico, where the war might have been maintained up to the present moment but for the tardy but successful appearance of commodore Douglas with an efficient naval force. For all this he did not so much find fault with the noble earl, who directed the admiralty, as with that unfortunate and penurious system which would not allow the naval force of England to be put on a footing commensurate with the interests of the country, and mutilated that great arm of the national power.

Lord Melbourne admitted to its full extent the importance of our commercial intercourse with Buenos Ayres, which consisted on our part chiefly in the export of manufactured goods. No doubt, said the noble viscount, blockades ought not to be instituted without most grave and deliberate reason, but it was nevertheless impossible for Great Britain to constitute herself an arbiter in the matter without committing an act of hostility towards one party or the other, and so making herself a principal in the transaction. And England, it should be remembered, ought not to be the first to complain, who had instituted blockades more extended than any other maritime country, and had enforced them with greater severity. The states of Mexico and

Buenos Ayres had given great reason for complaint to this country as well as to France. He had not, however, pretended to justify the course taken by our neighbours with regard to the internal differences of the South American nations; but this too was a topic which could not at that moment prudently be pressed. With regard to the blockade of the greater part of South America, if it were not enforced by a sufficient armament, the law of nations required that it should cease, and touching the island of Martin Garcia, the government was not prepared to give any explanation of the intentions of the French with regard to its detention, beyond the promise which count Molé had given that they did not intend to hold it in permanent occupation; and there could be no doubt but that the French cabinet would *bona fide* fulfil their engagement. The present government, he believed, were most anxious to extinguish all their unfortunate differences with the nations in those waters.

Lord Ashburton very much questioned whether a blockade of this nature had ever before been resorted to where the blockading party was not in an actual state of war with the nation so beleaguered. So little had France herself respected this right in other nations, that merchants complained that she had denied the right of Chili to blockade the ports of Peru, with which Chili was actually at open war. It was to be feared that from the want of a friendly communication between the two countries, this principle of blockade had been used for mere commercial purposes without any declaration of war. The safest method was to protest in time against such encroach-

ments, or we should at length be forced into some breach of the peace with the French people. The noble lord observed, that the differences between France and these newly-erected states seemed in general to have arisen out of a strong assertion of power by some consul or commander of a post on the part of France, who had assumed to himself an authority which the government at home was not aware of. The government of the Argentine republic did not permit Frenchmen to be concerned in the trade of that country. France had taken umbrage at this, and yet it was an act which every independent nation had a right to maintain. No foreigner could establish a retail shop in the city of London without permission, and the mere fact that a nation was feeble and disorganized afforded no justification for the violation of its obvious rights. Lord Ashburton concluded by asking lord Melbourne the question whether it was customary to resort to a blockade with a country where a war was not declared?

Lord Aberdeen mentioned that a similar blockade had been exercised by England two or three years ago against the state of Columbia, and was instigated, as the French allege, for the purpose of negotiation. It proved, indeed, a very cogent means, said the noble earl, for in three or four weeks we obtained what we wanted to negotiate for.

Lord Melbourne admitted, that France was not at war with Buenos Ayres, but he stated that England had gone so far as to seize vessels on the high seas without any declaration of war, which was a much stronger case; and here the discussion concluded.

CHAPTER XI.

Mr. Grote's Motion on the Ballot—Speech of Mr. Macaulay—Lord John Russell—Sir James Graham—Declaration of Lord Howick—Sir Robert Peel—Motion rejected—Presentation of part of the Report of Committee on printed papers, referring to the case of Stockdale v. Hansard—Report taken into consideration—Resolutions proposed by Lord John Russell—Mr. Warburton's Amendment—Opinions of several Members—Amendment thrown out—Act for the better ordering of Prisons—Motion of Mr. Attwood for a Committee of the whole House to consider the National Bazaar—Birmingham Riots—Measures of Lord John Russell for ensuring tranquillity in Birmingham, Manchester, and Bolton—Police Bills—County Constabulary Police Force Bill—Motion for an Increase in the Army—Observations, on that occasion, of Lord John Russell on the State of the Country—Mr. S. Rice brings forward the Budget in a Committee on Post-office Acts—His Resolution relating to a proposed Reduction of Postage Duties—Strictures of Mr. Goulburn and Sir R. Peel—Resolution moved by Mr. Goulburn as an Amendment on the Order of the Day for receiving Report of Committee—Mr. Rice—Sir R. Peel—Mr. P. Thomson—Majority for original Motion—Amendment of Sir R. Peel, on second reading of the Resolution, thrown out—Bill brought into the Commons, and passed—Animadversions of the Duke of Wellington, on the second reading, on the Financial State of the Country—No opposition to the Bill—Banks of France and England—Bank Directors raise the rate of Discount—Funding of Exchequer-bills by the Chancellor of the Exchequer—Failure of first attempt—Second arrangement—Explanations in Parliament on bringing in a Bill to confirm the Operation—Lord Lyndhurst's Speech on the Labours of the Session—Reply of Viscount Melbourne—Lord Brougham—The Duke of Wellington—The Queen proceeds to the House of Lords—Address of the Speaker—Her Majesty's Speech—Parliament prorogued.

CIRCUMSTANCES had tended in some degree to revive the interest, impaired by annual discussion, when the member for London, on the 18th of June, invited the

VOL. LXXXI.

house to another trial of strength, on a motion providing that votes at elections should be taken by way of ballot. It was understood that persons connected with the government

[T]

had, for the first time, obtained permission to vote with the hon. gentleman; and the party were not without hope that this concession might superinduce the further adhesion of several ministerial members to the measure so long protected by Mr. Grote. In addition to these considerations, Mr. Macaulay, who had recently returned from his oriental mission, had lately manifested on the hustings of Edinburgh an opinion favourable to the question about to be debated; and the hon. gentleman was expected to seize the present opportunity of resuming his interrupted senatorial career.

No one could hope, however, that many unappropriated topics would be brought to bear upon a subject whose proper merits will, after all, be found to lie within a restricted compass, very much of its importance arising, in all probability, from the fact of its general popularity with a certain class of politicians, who would, therefore, possibly have reason to consider its success to be an event, affording almost as accurate a measure of the ascendancy of what are usually called reform principles, as if it involved in itself any very material dislocation of the present constitutional arrangement. In the mean while, it will be observed that its decided advocates allow, that if it secured a more unembarrassed use of the elective franchise, it would have an equal tendency to promote the practice of making untrue assertions, at the same time that it removed the voter from any awe which public opinion might exercise upon him—an admission by which they seem to make over two out of its three more specific consequences to the disparagement of their own proposal.

Mr. Grote adapted his arguments with considerable skill to the latest aspect of the case, abstaining from any unnecessary repetition of familiar reasons, while he endeavoured to direct attention to events which made it more peculiarly desirable to press the question at the present moment; not that he felt obliged to cast away forcible matter because it had been used before, for experience went to show, that it was less by the discovery of untrodden methods of demonstration, than by discussions of the same topic, renewed at seasonable intervals, and the continual painful sense of the same unremitted evils, that political conclusions came to be disseminated, and ultimately acted upon. Nobody, said the hon. gentleman, was found to deny the existence, or even the criminal nature of intimidation, but as no expedient had been discovered besides the ballot, in the slightest degree available for its removal, they who opposed the remedy did virtually decree the continuance of corruption. Some persons, he was aware, resisted the present motion on the grounds of the final character of the measure of Reform. Was then, demanded Mr. Grote, the finality of coercion and bribery also part of the understanding between the proposers of that question? or did it enter into those Tusculan conversations between the noble lord the member for Stroud and lord Althorp in 1832, to which allusion was made in the pamphlet of lord John Russell, when they predicted the future restoration of empire to the Tory party? He, for one, entertained no faith in the famous doctrine of finality; it was at the same time, however, quite competent to any of its admirers to vote for a secret

suffrage, unless indeed they held themselves also pledged to the perpetuation of iniquity. Although, continued Mr. Grote, the representative system exhibited many evils which the secret vote alone would never meet, it would not the less provide for several grievous abuses, and, even for this proposal, he was quite prepared to accept a substitute, adhering to his own remedy only because no other plan was offered in any degree commensurate with the exigencies of the case. There was, however, he repeated, no other medicine possible but the one which he was now proposing, and that would prove effectual, until at least some means should be devised by human ingenuity for rewarding or punishing an unknown and invisible act. If, pursued Mr. Grote, you are to have any representative government at all under the present distribution of property, there must needs be multitudes of electors in dependent circumstances. To expect from such men, unprotected as they are, a constant sacrifice of their worldly interest to the preservation of a political conscience—to hope that you will find generally in their bosoms

“The strong divinity of soul

That conquers chance and fate,”

which richer and more accomplished persons fail to exhibit, would be little better than an idle dream. I do not envy the feelings of any man who can have engaged in the details of an electoral struggle, without a profound sense of the miseries of an unsheltered franchise, and a sincere desire to apply to them an efficacious remedy.

The motion was seconded by lord Worsley, and opposed by Mr. Gaskell. As Mr. Macaulay rose from behind lord John Russell, the

members crowded into the side gallery, and paid him the compliment of eager attention. The hon. member for Edinburgh declared, that after so protracted an absence from the house, he should willingly have remained for a longer time a silent spectator of its proceedings; but the deference due to a great city, together with the deep interest he felt himself in the question, forbade the indulgence of any such desire. With regard to the course which government was known to have adopted on the present occasion, Mr. Macaulay observed, that the extent to which a cabinet ought to act in strict concert upon legislative questions was a very nice consideration. It was plain, however, that there were but three practicable courses in dealing with such matters. They might agree on all subjects whatever—or pretend to be united where there was a real difference—or leave each member free to take the course which his own opinion dictated. Uniform agreement, they knew, was a thing impossible; and the principle of concession upon measures which men might, as individuals, think desirable, in order to secure a mutual action among political partisans, was admitted to be a peculiar exception from the great general rules of public morality. If there were any one who thought it wrong, he respected so great tenderness of conscience; but the vocation of that person was not for public life. Let him rather select more quiet ways for his passage through the world, in which he might play a useful and respectable part, but he was as completely unfitted for the turmoils of political strife, as a quaker, by his religion, was incapacitated from commanding a regiment of horse. Such

[T 2]

an exception, however, pursued Mr. Macaulay, ought to be very rigorously construed, or there might be a danger of its being converted into the rule. In former times, it was indeed the practice to allow all questions to be "open" but those which the government itself brought forward, or such as were supported with the direct intent of overturning the ministry. The questions, for example, of parliamentary reform, slavery abolition, and the conduct of Warren Hastings were "open" under Mr. Pitt, a minister noted for his high and commanding spirit. A different custom had, however, subsequently arisen; and it must be in the memory of every one, that the duke of Wellington, in 1828, had dispensed with the services of several members of his government on account of a diversity of opinion on a subject, on which not one of Mr. Pitt's colleagues would have deemed it necessary to ask for permission to vote against him. The line had been drawn of late, he was satisfied, in an inconsiderate manner, nor had he any doubt but that the existing cabinet, by opening the question of secret voting, had both increased their strength and raised their character.

In supporting the present motion, Mr. Macaulay took care to hold himself uncommitted to any bill, whose details should not appear, upon examination, well calculated to obtain the object he had in view, nor would he engage to vote for any measure unattended with a proposal for improving the mode of revising the registration. Subject to these two conditions, he would support the ballot, but not, however, entirely upon the grounds for which it was desired by many members, for it was by no means

a case in which the argument lay on one side only, and although it would certainly put an end to the pernicious effects of intimidation, the hon. gentleman made the admission—a very considerable one on the part of a popular member—that it would take away at the same time the salutary influence of public opinion on the elector.

It was further urged, that the system of secret voting would tend to the abolition of the legitimate influence of property. But property, argued the hon. gentleman, under any system, must always retain its legitimate influence. Wealth was power, and power, justly and kindly used, would not fail to inspire affection. Wealth, or that which was so compared with what the greater number of electors possessed, was closely connected with intellectual superiority. It enabled the possessor to select and prosecute any study to which he might be inclined; to continue it, when those who entered life with him under less fortunate circumstances were obliged to drudge for their daily bread; to enlarge his mind by foreign travel; to acquire an intimacy with the history of nations, and become acquainted with all the arts and sciences;—these were advantages to which no constituency could be blind, nor had it ever been found that, not the present class of electors, but even the very lowest of the populace, had, even in their wildest aberrations, chosen a leader destitute of these qualifications. This was the natural, the salutary, and indestructible influence of riches, and whatever went beyond it was corruption.

Mr. Macaulay seemed to admit, that, in the great majority of cases, the elector would vote according

to his inclination, without hesitating to escape the consequences which might await on the publicity of the action, by a breach of truth. In his opinion, however, the latter was the less evil of the two; and he proceeded, perhaps not very successfully, to justify this assertion, by referring to a practice not unfrequent among people in a far more independent station, who had no scruple in uttering an untruth, in order to guard a secret against private curiosity. He appealed, in particular, to the instance of sir Walter Scott, who had never suffered at all in social estimation, although he had uniformly met any question put to him on the subject of the Waverley novels with an open denial, until he thought fit, at length, to drop the veil of concealment.

The ballot he had always understood to have been a question expressly reserved when the Reform Bill was carried, and, pursued the hon. gentleman, towards the conclusion of a speech, which might, we suppose, be intended in some degree to define the political position which he was desirous of occupying on his restoration to a parliamentary life, with regard to the final character of that great measure, it ought, he thought, to be regarded with a rational rather than a superstitious reverence. Whether it should be subjected to any alteration was a question which could stand upon no other grounds but the ordinary principles of the public good. Many serious dangers, however, attached to violent constitutional changes, and although the revolution of 1832 was achieved without the bloodshed which, in any other nation, would have been its inevitable attendant, it was not brought about without great peril

and excitement. He had no desire to renew a similar scene, and would even rather bear with many grievances than consent to open again the whole representative system. The Reform Bill, however, to be final, ought also to be effectual, or one form of misrepresentation would have been cut off only to be replaced by another, and the giving greater security to the unprotected voter was not to innovate upon that important measure, but to carry out its direct intentions.

Mr. Milnes, whose speech in opposition to the motion was delivered amid much interruption, was succeeded by lord John Russell, who spoke with unusual energy. It was, he said, with him a matter of much regret, that his hon. friend should have chosen to cast the weight of his talent into the scale of the ballot. No slight objections, it was stated, ought to stand in the way of this measure; but was the effect which Mr. Macaulay had himself acknowledged would flow from the projected system a matter of trivial importance? Aware, as he was, of the very great weight which his hon. friend attached to public opinion, he was indeed astonished to find him prepared to forego its influence on the single act by which a most important branch of the legislature was chosen, instead of waiting till the growing and predominant operation of that efficient instrument should of itself have brought about, as it needs eventually must, a more satisfactory practice. The judges of the land, in pronouncing their decisions—the houses of parliament in their deliberations—even the conduct of the sovereign, as had been seen on a late occasion, when an exercise of authority was called for apart from the advice of her

accountable ministers—had been made the subject of open political discussion; and were they to be told that one class of persons only—a fraction of the adult male population—were to be entirely set free from any public responsibility in the solemn act of selecting the representatives of the nation, under whatever motives, however treacherous, however incapable of avowal, they might give their suffrage? With regard to the tactics pursued by ministers on the present question, the noble lord declared, that, after the example of former governments, he had ceased to press his friends to oppose the ballot, when he found that the majority of members on his own side, with many of whom he had long taken part in public affairs, were disposed to adopt it.

Mr. Sheil, in order to show that, as regarded the ballot, the Reform Bill had not been originally looked upon as a final settlement, referred to various disclosures on the subject which had been made by the earl of Durham at Gateshead, by lords Brougham and Grey at the dinner at Edinburgh. A well-known article in the *Edinburgh Review* had subsequently intimated that lord Duncannon, the earl of Durham, sir James Graham, and the lord John Russell had been entrusted by lord Grey with the drawing up of the measure; and the hon. member for Tipperary referred with still greater particularity to a declaration made at a public festivity in 1837, by the noble lord last-mentioned, to the electors of Stroud, on which occasion he stated, that he was acting in consistence with the permission of the late king, when he mentioned that in the plan submitted ultimately to the cabinet of earl

Grey, it was suggested that the vote by ballot should be adopted, and that the duration of parliament continue for five years, although those measures formed no part of the original project.

These assertions called up sir James Graham, who did not deny his share in drawing up the reform bill; but he had not, he said, received the licence extended to the noble lord to disclose official secrets. He could explain nothing—admit nothing—deny nothing. If the noble lord, however, chose to mention the person at whose suggestion the ballot was inserted, he had no objection, still less need he fear to state by whose votes it was cast out. There was, as all men knew, at that time in the cabinet a keeper of the king's conscience, whose boast it was, that he had an argument which amounted to a mathematical demonstration, that the ballot was impracticable. After thus adroitly intimating that he had opposed the introduction of secret voting in the programme just referred to, sir James denied that it was ever considered an open question in the cabinet of lord Grey during the discussions on the reform bill, and appealed to the celebrated declaration of lord Althorp on a similar motion made by Mr. Grote in 1833, in which the term final was first applied to the act by the noble viscount, in reference to this particular proposal.

Among the more violent opponents of the motion was lord Howick, who spoke with a want of caution that did not fail to attract the bitter comments of the liberal party. Not content with offering a simple opposition, the noble lord went so far as to make the gratuitous avowal that he had consented to leave open the question

of the ballot, under the impression that this was to contribute a greater chance of its failure; and he declared that he would resign his seat the very next day, if he thought that his continuance in a cabinet which made an open question of it would tend in any way to its ultimate success.

Sir Robert Peel only rose with the view of noticing the remarks upon open questions made by Mr. Macaulay. No principle, he maintained, could be more mischievous. It held out an inducement for ministers to shrink from the exercise of the proper functions of government, which ought to lead the public mind in matters of legislation, and the effect would be, that while every other member of the house was competent to make a motion, the only person who could not propose a measure would be one of her majesty's ministers. He knew by experience that to make a vital question an open question would sow the seeds of disunion in the cabinet. It rendered the distribution of patronage a matter of great disagreement, and tended, in fact, to destroy the obligations of all party connexions. Indeed, said the right hon. baronet, I cannot, upon such principles, see why I myself, together with my hon. friends, should not move over to the other side of the house, with a mutual understanding not to bring forward questions upon which there was any difference of opinion, and to prevent, as far as possible, others from doing so too.

The house then divided, and the motion was rejected by a majority of 335 to 217. Last year the numbers were 317 and 200. Four cabinet ministers voted against Mr. Grote, and only one with him, Mr. P. Thomson, who gave his

silent countenance to the ballot: two staid away. It is calculated that seventeen members of the government and household, besides Mr. Bernal, were found in the minority, and twelve united with the adverse party. Altogether the question would not seem to have made much progress by having been thrown open.

The house of commons met on the 15th of June, in order to receive part of the report of a "select committee on printed papers," with the minutes of their proceedings. The document in question commenced with an expression of regret that time had not been allowed to make a full report upon the privilege of the house to publish its proceedings; but the immediate publication of the present portion had been rendered necessary by the steps taken by Stockdale against Mr. Hansard, the printer of the house, for the recovery of 100*l.* damages, given in a court of law for a "libel" published by the latter in his official capacity, and for which sum a writ of execution was on the point of being issued. After setting forth the different courses which it had occurred to them it was competent for the house to adopt, and passing an opinion successively on each of the several expedients, the committee arrived at the conclusion, that the course most consistent with ancient parliamentary usage and the dignity of the house, would be, to commit for contempt the magisterial officer, by whose agency other authorities of the state had invaded the rights claimed by the house of commons; at the same time that the members of the committee in question were of opinion, that, in the present instance, it was too late to resort

to such a measure, because 'the house, by directing the attorney-general to appear in the action on the part of Messrs. Hansard, had placed itself, so far as regarded this particular case, in a situation in which it would be better to abide the result of the trial which had been permitted to proceed, and to allow the damages to be paid, determining, at the same time, that any future proceedings of the same nature should be arrested in their earliest stages, by committing for a contempt of the house, not only the parties by whom similar actions might be brought, but the agents and counsel employed by them.

On the 17th of the same month, a very long discussion took place upon the consideration of the report, and the temporary disposal of the question. It was argued on this occasion by lord John Russell, that, as they had admitted the right of the Queen's Bench to decide in this particular question, the house was bound to abide by the decision. It was, however, in his opinion, an erroneous judgment, and it became necessary to consider in what way these invasions of the privileges of parliament could be in future resisted. In conformity, therefore, with these views, the noble lord moved two resolutions—the first declaring the inexpediency of adopting measures for the purpose of staying the execution of the writ against Hansard; the second, that the house would enter into a consideration of the means of defending its essential right of making public its proceedings, so soon as the committee on printed papers should have made a complete report upon the subject.

An amendment was moved by Mr. Warburton, and seconded by

Mr. Hume, to the effect that the house would visit with its severe displeasure any officer who attempted to enforce, or aid in enforcing, the judgment against Hansard.

Sir R. Inglis warned the house, that they would not only have to contend with the sheriff, but must be prepared to summon the lord chief justice to their bar. Mr. Pemberton spoke on the same side; but the rest of the legal members, sir J. Campbell, sir E. Sugden, sir R. Rolfe, and Mr. Wilde, who made a most elaborate speech, adopted the other aspect of the question. In the same ranks were numbered lord Howick and sir Robert Peel, who reminded the house that he had objected at the time to give the attorney-general orders to plead, in anticipation of the difficulty which had since arisen. Mr. Wynn recommended the house to pass a declaratory bill, and to hold a conference with the lords on the subject of their mutual privileges. A division then took place upon Mr. Warburton's amendment, which was defeated by a majority of 18; there being in its favour 166, and against it 184.

An act was passed in the course of the present session for the "Better ordering of Prisons," of which the following are the more important provisions:

"Sections 3 and 4. Prisoners may be separately confined, but separate confinement shall not be deemed solitary confinement; and no cell shall be used for the separate confinement of any prisoner which is not of such a size, and lighted, warmed, ventilated, and fitted up in such manner, as may be required by a due regard to health, and furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison; and until its fitness in these several particulars shall have

been certified by one of the inspectors of prisons to one of her majesty's principal secretaries of state; and every prisoner so separately confined shall have the means of taking air and exercise at such times as shall be deemed necessary by the surgeon, and shall be furnished with the means of moral and religious instruction, and with suitable books, to be chosen as hereinafter provided, and also with labour or employment, unless it shall be deemed advisable by the secretary of state to make and certify a regulation for withholding, for a period not exceeding one calendar month at any one time, such labour or employment.

5. All prisoners shall be at least divided in the following classes:—First, debtors, in those prisons in which debtors may be lawfully confined; second, prisoners committed for trial; third, prisoners convicted, and sentenced to hard labour; fourth, prisoners convicted, and not sentenced to hard labour; fifth, prisoners not included in the foregoing classes.

A motion was made by Mr. Attwood on the 12th of July for a committee of the whole house, to take into consideration the "National Petition," presented on the 14th of June. The hon. gentleman explained that this enormous instrument was signed by no less than 1,200,000 persons the *élite* of the working classes, who put forward five demands. These were universal suffrage, vote by ballot, annual parliaments, remuneration of members for their attendance in parliament, and the abolition of the property qualification. The proposal, however, which, in consequence of the recent chartist combinations, gave rise to a considerable discussion, and became the means of eliciting some very sensible remarks from lord John Russell, was rejected by a majority of 235 over 189.

The defeat of Mr. Attwood's motion was contemporaneous, if indeed it were not the immediate

occasion, of very alarming riots, attended with extensive destruction of property at Birmingham, an account of which will be given in the succeeding chapter. In consequence of these lamentable occurrences, and the highly excited state of the northern districts of the kingdom, lord J. Russell lost no time in announcing, the 22d of July, his intention of taking the requisite precautions for securing the tranquillity of the country, by placing at the hands of the magistrates a better organised constitutional force for putting the law into execution, and providing sufficient military means to support them in the performance of their duty. On the 23d of July, he moved a resolution to authorise the treasury to advance 10,000*l.* out of the consolidated fund, for the purpose of establishing an efficient police force at Birmingham, which was to be repaid out of the rates to be levied on the said town. The noble lord observed, in explanation of this resolution, that there were difficulties in the way of an immediate organization of such a force, on account of the excited state of Birmingham, and from the question lately raised in Manchester with regard to the corporation, which might make it uncertain whether the municipal body of Birmingham possessed the power to impose a rate for the establishment of a police. He therefore proposed, as the object was one of general interest, that the state should interfere so far as to advance certain funds which the town would afterwards repay. This would not be a vote of supply, but a vote forming the foundation of a bill, which should provide for the recovery of the money by a rate on the borough, to be imposed by

act of parliament, and therefore totally irrespective of the authority of the corporation. The resolution was carried, and a bill brought in, which was finally made law. Similar bills, with the exception of the advance of funds from the treasury, were subsequently applied to Manchester and Bolton, to remain in force until the power of the civil functionaries to raise a rate should be determined. A bill was also passed with the same intention, to enlarge the powers of the justices of the peace for appointing county and district constables, and charging the expenses of their payment upon the several districts to which they might be nominated. It was not, however, intended that the measure should be universally imperative; but justices in quarter sessions were authorised to report to the secretary of state, the necessity of an additional appointment of constables, wherever the circumstances of their district should call for such an augmentation, in a proportion, however, not exceeding one for every 1000 of the population. The magistrates would create at the same time one or more chief constables of the county, with whom should rest the nomination of petty constables and a deputy; and a further enactment forbade any constable under the provisions of this bill from voting at an election, or exercising any other employment. The whole system was to be regulated by directions issued from the home office, for the sake of general uniformity.

In pursuance of a notice previously given, lord John Russell, moreover, moved, on the 2d of August, that an addition of 5,000 men should be made to the present military establishment, by en-

creasing the forces of our infantry regiments from 739 to 800 men. The present proposal, he said, was rendered necessary by the constant applications for military aid in the northern quarters of the kingdom, at a time when the political situation of our colonies made any diminution of the troops in those regions absolutely impossible. On making the present motion lord John Russell observed, that the grievances alleged by those misguided persons, whose proceedings had made the present measures necessary, were upon their own shewing beyond the reach of any legislative remedy. It was not against any particular political arrangement, but against the actual constitution of society itself that their murmurs were in fact directed. It was urged, that the social system in which they lived, did not afford them what they considered to be an equitable proportion of the means of enjoyment and subsistence, and thus they were led to hope that an alteration of the law would bring about some new state of society, by which their happiness would be increased, and their grievances redressed. But, continued the noble lord, no partial law—nay, not any violent revolution in the frame of English society would ever effect an improvement in their condition; and the same convulsion, while it destroyed the property and means of the rich, would act still more fatally upon the resources and welfare of the poor, whose only chance of comfort depended upon the devotion of large funds to the employment of labour, in consequence of there being in this country an unusual artificial quantity of capital, from the general confidence in the security of our institutions, and the civilisation which has been the growth of centuries

of free and stable government. The remaining portion of the speech of the noble lord was equally well deserving attention; and a rather interesting discussion arose on this occasion, as had recently been not unfrequently the case in the house of commons, on the condition of the labouring classes, and especially of those who were engaged in manufacturing pursuits, but we regret that our limits do not permit us to enter into any detailed analysis. After an amendment by Mr. Hume, which was not successful, the house went into committee, and a vote was carried of 75,000*l.* for the encrease of the army.

It was not until the unusually protracted period of the 5th of July that the chancellor of the exchequer at length brought forward his usual financial statement. The house was then in committee on the post-office acts, and Mr. Spring Rice was induced to select the occasion of his moving a resolution affecting an important reduction of post-office duties, as a convenient moment for exposing the present financial situation of the country, in order that the house might come to an opinion upon the expediency of incurring the hazard contingent upon the, at least temporary, sacrifice of so considerable a portion of the revenue as would be involved in such a

proceeding. After reminding the committee, that, instead of attempting to cut down expenditure, it had lately become the practice of the Opposition to propose an increase in the estimates and grants of money for various purposes, Mr. Rice dwelt for some time upon the augmentation of outlay required for bringing several reforms—poor-law, inspection of factories, and acceleration of mails—into operation, and the right hon. member then proceeded to the main business of the evening.

He first called attention to an increase in the estimates for the army, navy, and ordinance, for the current year, over the estimates for the year ending with the 5th of April last. In 1838 the estimate for the army was 6,322,000*l.* In 1839, 6,563,000*l.* For the navy, in 1838 it was 4,811,000*l.*; in 1839, 5,197,000*l.* The ordinance estimate in 1838 was, 1,546,000*l.*, whereas in 1839 it amounted to 1,732,000*l.*; the total excess therefore was 812,000*l.*, and this without taking into account any extraordinary outlay in Canada. On all the departments, the increased estimates amounted to 962,220*l.*

Mr. Rice then went on to compare his estimates of income and expenditure with the results.

The Customs estimated at	£ 20,795,000	yielded	£ 21,210,000
Excise	13,902,000	...	13,729,000
Stamps	7,001,000	...	7,043,000
Taxes	3,654,000	...	3,700,000
Post-Office	1,688,000	...	1,674,000
Miscellaneous	279,000	...	474,000
	<hr/>		<hr/>
	47,269,000		47,830,000

The excess of receipts therefore was 661,000*l.* Mr. Rice men-

tioned that the increase in the miscellaneous was owing to a re-

284] ANNUAL REGISTER, 1839.

payment of money advanced to the Canadian treasury. The duties on foreign corn, which in 1837 were 306,860*l.*, in the last year brought no more than 146,000*l.*

The expenditure had however considerably exceeded the estimates, in consequence mainly of the war in Canada.

Estimated interest on the Public Debt	...	...	£ 29,350,000	
Actual disbursement	...	...	...	£ 29,427,000
Other charges on Consolidated Fund	...	...	2,400,000	2,383,000
Army	...	...	6,322,000	7,201,000
Navy	...	...	4,811,000	4,690,000
Ordnance	...	...	1,546,000	1,381,000
Miscellaneous	...	...	2,545,000	2,678,000
			<hr/> 46,974,000	<hr/> 47,760,000

The excess of expenditure was therefore 786,636*l.*

Mr. Rice had apprehended in the last year a deficiency in the balance of receipts and expenditure of 206,000*l.*, it had however reached in fact 430,000*l.*, involving an amount of miscalculation of no more than 224,000*l.* Mr. Rice here entered into a variety of details, showing upon what items of revenue there had been an excess or a diminution of receipts. After this he stated the cost of the operations in Canada. In the years 1837-8, and 1838-9, the extraordinary expenditure was 947,000*l.* A vote for 500,000*l.* had been taken as the account, leaving 447,000*l.* to be provided for, the amount required for the present year, including the balance of 447,000*l.* would be 1,053,000*l.*

And this considerable sum would have been much larger had not the comparatively tranquil state of Ireland enabled the government to transfer a part of the military stationed in that country to Canada. As, however, there was every reason for hoping that this expenditure had arisen out of circumstances of a merely temporary character, Mr. Rice did not think himself justified in laying a permanent charge on that account upon the country, but to meet the deficiency by a vote of exchequer bills on a subsequent occasion in the nature of a vote of credit.

The estimated income and expenditure of the current year were then stated by Mr. Rice,

Estimated Income.				
Customs	...	...	...	£ 21,500,000
Excise	...	...	..	13,845,000
Stamps	...	...	...	7,054,000
Taxes	...	...	...	3,694,000
Post-Office	...	...	...	1,585,000
Miscellaneous	...	...	...	250,000
Crown Lands	...	...	...	200,000
<hr/> Total				<hr/> £ 48,128,000

Estimated Expenditure.

Interest of Debt	...	...	£ 29,443,000	
Consolidated Fund	...	...	2,400,000	
Army	...	...	6,563,000	
Navy	...	...	5,197,000	
Ordnance	...	...	1,733,000	
Miscellaneous	...	...	2,652,000	
			<hr/>	£ 47,988,000
Surplus of Income	...	...	...	140,000

In this estimate, however, no account was taken of the 1,053,000*l.* required for Canada over the 500,000*l.* voted last year.

The Chancellor took a cheerful view of the commercial prospects of the country, and referred to the increase of exports for the present year over those of 1838, as a symptom of returning prosperity. The amount of deposits in the savings banks had also very much risen, notwithstanding the insubordination of the Chartists, and the attempts which had been made to create a run upon the banks.

Mr. Rice then explained the course which he intended to take with respect to the post-office. In the present state of the revenue he could not make a proposition which would affect to lose a portion of the receipts without the guarantee of parliament to make good any resulting deficiency. If the resolution he was about to propose were agreed upon, he should then move for leave to bring in a bill founded upon the resolution, and Mr. Rice was at pains to explain that this would be a better mode of proceeding than by bill alone. Although the committee had recommended a Twopenny postage, he intended to propose a Penny rate, because he had been convinced by the arguments and evidence of the committee that the latter ex-

pedient would involve less loss to the revenue. Mr. Rice therefore would ask the committee to pledge itself to one uniform rate of a Penny at and under a weight hereafter to be fixed, but as to the mode of carrying out the principle, as by stamped covers and prepayment, these and other matters of detail would be reserved. General franking ought of course to be abolished, and with regard to official franking it would probably greatly conduce to economy to make every department pay its own postages. Mr. Rice concluded by moving a resolution—

“That it is expedient to reduce the postage charged on letters to one uniform rate of one penny, charged upon every letter of a weight to be hereafter fixed by law; parliamentary privileges of franking being abolished, and official franking strictly regulated. This house pledging itself at the same time, to make good any deficiency of revenue which may be occasioned by such an alteration in the rates of the existing duties.”

Mr. Goulburn observed that he felt the inconvenience of having to enter at all into a statement made upon a resolution which had really no reference whatever to the subject. It would have given him much more satisfaction were he

called upon to deal with a vote in a committee of ways and means for the Exchequer bills with which the right hon. gentleman proposed to make up his deficit. Mr. Goulburn found no fault with the estimates of receipt and expenditure, but he characterized in terms of strong disapprobation the practice adopted by the chancellor of so frequently issuing exchequer bills, and encumbering himself from year to year with a mass of unfunded debt in the hope that the deficiency would not be permanent. With regard to the more immediate subject of discussion, he observed that, however favourable he might be to the alterations contemplated in the post-office, the placing in hazard of a clear annual revenue in the present state of the finances, of 1,500,000*l.* free from doubt and fluctuation, was a matter for very important consideration. In order to meet this objection a pledge had been introduced into the resolution, which went to bind the parliament in general terms to make good any diminution of revenue which the projected experiment might occasion. Mr. Goulburn, however, had no confidence whatever that the house would eventually abide by such a vague engagement, and although he would not at that moment oppose the resolution, he reserved the power of resisting any part of the proceeding, if on further examination he should discover any objections, or find no adequate provision made for a falling-off of the national income.

Sir Robert Peel was of opinion that it would be better to run the risk without the pledge, especially when the guarantee was so very indefinite as that which he was called upon to give. The house,

however, he thought, was running a very serious risk—the calculations upon which a large revenue was anticipated from a reduced rate were very uncertain—neither lord Lichfield nor colonel Maberly approved of the experiment—and he hoped that time would be given for maturer consideration before the house became definitively committed. He should consider himself at liberty on a future occasion to meet with a negative the two propositions into which the resolution branched.

1st. Whether the state of the public finances was such as to justify the house in incurring the hazard of the loss of more than one million of the public revenue? 2nd. If so, whether the house were prepared to take the consequences of such a step and to incur the responsibility of giving the unexampled precedent of fettering parliament by a pledge to make up an uncertain deficiency ranging over an indefinite period of time. Sir R. Peel then stated in answer to a question from Mr. Rice, that he should be prepared to take the discussion upon the report of the resolution, provided an early day were named, and the bill was strictly in accordance with it.

After several observations from other hon. members the resolution was agreed to without a division.

On the 12th of July, when the order of the day was read for receiving the report of a committee on the Postage Act, Mr. Goulburn rose for the purpose of proposing a series of resolutions to be substituted for the report of which the following presents the effect.

“That with a deficiency of revenue during the three years ending on the 5th day of April, 1840, of not less than 1,860,987*l.* it is

not expedient to adopt any measure for reducing the rates of postage on inland letters, to an uniform rate of one penny (thereby incurring the risk of a great present loss to the revenue,) at a period of the session so advanced, that it is scarcely possible to give to the details of such a measure, and to the important financial considerations connected with it, that deliberate attention which they ought to receive from parliament."

The amendment was opposed by the chancellor of the exchequer, who observed that it had apparently fallen out of the recollection of the right hon. gentleman that he had only asked the house to put the treasury in a situation in which they could make at the earliest possible period the experiment of the system of cheap postage, an experiment which he distinctly stated he never would adopt without the express approval of parliament, and a pledge on the part of the house to make up any deficiency that might arise. The proposal might be put upon trial until the ensuing session, when it would be open to them to take any course which should be advisable. If, continued Mr. Rice, any member chose to move an amendment for a specific tax of any kind, he would support the motion, and accept it as a security for this special measure; but, continued the right hon. gentleman, it would be far more consistent with sound sense and practical wisdom to acquiesce in the general engagement than it would be to adopt the contemporaneous imposition of a tax before it could be known whether there would be a deficiency to justify the tax or not.

The capital objection to the resolution, said sir R. Peel, who

succeeded the chancellor of the exchequer, was the hazard they were about to run upon a diminution of the revenue amounting to nearly 1,000,000*l.* There had been a deficiency in 1837, another in 1838, and a still larger falling-off in 1839, and yet a proposal was now made to incur the chance of a further loss of 1,500,000*l.* Was it only necessary to raise an outcry for the abolition of some particular tax, to have it taken off, with a pledge that parliament would make good the defalcation? This was just the course pursued by the national assembly of France; they repealed every obnoxious impost, and placed the deficiency under the safeguard of the national honour, repelling with indignation the intimation, that the public credit might not be safe under such protection.

The right hon. gentleman, pursued sir Robert, sought to bind the house to make good the loss which would avowedly ensue upon the adoption of the plan in question, he had failed to name the tax he had in contemplation. In the opinion, however, of sir Robert Peel, the house would now pledge itself, in case of the resolution being adopted, to a property tax; and, looking at the state of the public interests, and the high scale of taxation upon articles which were the elements of revenue and great consumption, a property tax might possibly be the wisest to which in such an event they could resort. But would the house do so in order to raise one or two millions of money? Was it not better to leave the matter unembarrassed by parliamentary pledges, and trust to the general sense of that assembly to take such a course as the public welfare might re-

quire? On these grounds he should refuse the pledge. The right hon. gentleman might, if he thought proper, throw on him the odium of defeating his measure—for that he cared absolutely nothing; but in a matter of such moment, he would rather relinquish public life, and that arena in which he had combated for thirty years, than he would give his consent to the course [of proceeding now proposed. He entertained no objections to the plan in itself, but he trusted that the house, comparing the advantage with the disadvantage, considering that this plan was first opened in the budget on the other night, and that they were now on the 12th of July, discussing a mere resolution, and that no bill on the subject had yet been introduced, remembering also that they had been afforded no means of consulting their constituents, and then bearing in mind the many important points of detail which would remain undecided,—such as the description of paper to be written upon—the question involved in the two words new to the language, *pre-payment* and *post-payment*, together with the consideration, whether the monopoly should be granted to any single paper-maker, he trusted the house would not leave these matters for the determination of any department without appeal to parliament.

Mr. P. Thomson replied, that it was impossible to answer beforehand for the working of the points last alluded to by the right hon. baronet, any more than they could ascertain the exact amount of deficiency. The government wanted no more than an opportunity of trying the effects of the measure, and, afterwards, when they saw

their way more clearly than they did at the present moment, of digesting a plan to be laid before parliament.

Mr. Warburton spoke in favour of the ministerial proposition.

The house divided upon the original question, which was carried by a majority of 102; the ayes being 215, and the noes 113.

The report was then brought up and read. On the question that the resolution agreed to by the committee be read a second time,

Sir R. Peel moved an amendment to omit such part of the resolution as pledged the house to supply any deficiency of the revenue occasioned by the reduction.

After a few words from the chancellor of the exchequer, the house divided on the original motion, when the ayes were 184; noes 125; majority 59. Report agreed to.

On the 18th of July, accordingly, Mr. S. Rice brought in a bill, intitled “An act for the further regulation of the duties on postage, until the 5th day of October, 1840.” It was read a second time without a division, on the 22d of the same month, and passed on the 29th.

Lord Melbourne moved the second reading in the house of lords, on the 5th of August. On this occasion, the duke of Wellington severely criticised the manner and circumstances under which the proposed measure had been brought forward, in the face of a deficiency of a million, which, considering the state of our affairs both at home and abroad, would probably be very greatly augmented in the month of April, 1840. There was, moreover, remarked the noble duke, at present a very large unfunded

debt in circulation, far greater indeed than what the market could bear, for the interest had fallen and was still falling, and he suggested that it would be a measure attended with great convenience, not only to the government, but to the country at large, if, at that moment, a large amount of those exchequer bills were taken out of the market by funding them, and thus a means provided of making up by the year 1840, for some part of the loss which it was clear must exist by that time.

But, my lords, continued the duke of Wellington, notwithstanding that I feel so little confidence in this measure, and can never cease to lament that it should ever have been adopted, nevertheless, under all the circumstances, I earnestly entreat you to pass it. It is a measure that has been most anxiously expected by the country, at the same time that it is one on which there rests many and even increasing misgivings; but your lordships should bear in mind, that there is not one clause in this bill upon which you can make an amendment, or give a vote except in the negative or affirmative, without committing a breach of those conventional rules which have been established for the conduct of the business between yourselves and the house of commons. I shall, although with great reluctance, vote for the bill, and I recommend you to do likewise. Several other noble lords delivered their opinions, which were for the most part favourable to the government proposition, and the bill was then read a second time, and subsequently became law without further opposition.

In consequence of the financial
VOL. LXXXI.

difficulties that oppressed the commerce of this country, the Bank of England was led to enter into an arrangement with that of France, which was, of course, made the subject of a great diversity of opinions in the mercantile world. The transaction in question was, it appears, of the following nature. Fifteen of the principal banking-houses in Paris, agreed to accept for a commission of $\frac{1}{4}$ per cent., in equal proportions, bills drawn from London by the firm of Baring Brothers, in the name, and for the account of the Bank of England, to the amount of 2,000,000*l.* sterling. The bills were to be discounted at the Bank of France, the Bank of England agreeing to deposit in its hands English securities to the same amount. This proceeding had in the eyes of some persons a tendency to lower the character of the important institution with which it had originated, and it was maintained that the effect would be, to cause still more serious monetary embarrassments, while it could not fail to entail upon the bank very heavy expenses by the time that the crisis was over; and the funds had to be remitted back to this country. Other authorities, however, believed the plan to be a perfectly safe one, and calculated, moreover, to afford an additional proof that the rivalry between the two nations was every day dying away, and to give a guarantee the more in favour of the continuance of peace.

At about the same period the bank directors, who had a few weeks before raised the rate of discount to $5\frac{1}{2}$ per cent., issued a second intimation, dated August 1st, declaring that the interest on bills of exchange and notes dis-

[U]

counted should be 6 per cent. per annum from that day, a step which like all measures taken in the uncertain province of finance, underwent the usual diversity of adverse and favourable comment.

It will be remembered that in the course of the discussion on the second reading of the Postage Bill, the duke of Wellington in his remarks on the fiscal situation of the nation, recommended ministers to reduce the amount of the floating debt, under the pressure of which the market had been labouring, by funding exchequer bills. To this suggestion of the noble duke we may trace in all probability the notice dated from the Treasury chambers, which appeared on the 12th of August, and rather took by surprise the monied interests. In the instrument in question, the viscount Melbourne and the chancellor of the exchequer, made public their determination, subject to the approval of parliament, to effect the funding of four millions of exchequer bills in 3 per cent. consolidated annuities, and intimated that all persons desirous of contracting for the said amount of bills now outstanding, dated in the months of March and June last, charged on aids and supplies, might deliver in proposals in sealed tenders on Friday, the 16th instant, at the Treasury chambers, at 10 o'clock, A.M., containing the terms on which they were willing to enter into the proposed contract.

After setting forth several regulations relating to the manner of paying in the deposits and instalments, and the date at which the interest would become payable, the same document went on to declare, that on the morning of the bidding,

the chancellor of the exchequer would lay upon the table, previously to opening the tenders, a sealed paper containing the greatest amount of stock that the government would feel justified in allowing, and in the event of the amount demanded exceeding the quantity specified in the sealed packets, the paper would, in that case, be opened, and the amount of stock declared; and in reply to a letter subsequently addressed by Mr. Rothschild to the chancellor of the exchequer, that gentleman explained that tenders would be received for the whole amount, or any sum not less than 500,000*l.* The treasury would give preference successively to the tenders above the price in the sealed paper, and if the amount tendered exceeded the four millions, the excess would be struck off the least advantageous offer.

In accordance with the above notice, several bidders attended on Friday morning, when the following tenders were given in:—1st, one on the part of the Bank of England, offering to take 109*l.* 5*s.* 2*d.*, three per cent. consols for every 100*l.* exchequer bills; 2nd, Messrs. Rothschild demanded 110*l.* 17*s.* 6*d.* for every 100*l.* in bills; 3rd, on the part of the commercial bank of Scotland, Mr. Paul made a proposal to accept for every 100*l.* exchequer bills 111*l.* consols. Of these, the only one accepted by the chancellor of the exchequer, who it appeared had fixed the minimum at 110*l.*, was that of the Bank of England, and this went only to the extent of 500,000*l.* By the contract thus concluded, it should seem that the bank had purchased the amount of consols in question at about 91½ per cent., as will be

seen by the statement we have subjoined.*

Mr. Rice is represented as having displayed in the course of this negotiation considerable agitation of manner; and, indeed, it must be confessed that the event of the negotiations did not confer much credit on his plan of limiting his transactions to the wholesale dealers in exchequer bills, and departing from the method sanctioned by former precedents at the treasury, by declining to name beforehand the maximum of stock to be given in exchange. In consequence of this failure, he was obliged to abandon his high ground, and on the morning of the 17th inst., it was understood that subscriptions even of 1,000*l.* would not be objected to, and the price declared on the opening of the tenders on the preceding day was fixed for the terms of the conversion.

In the house of commons on the same evening, Mr. Rice entered into an explanation of the measures he had taken, and defended the principle of his late financial operations upon the authority of Mr. Huskisson. Before Friday next, additional offers of 2,500,000*l.* would probably be made, the remaining million he did not expect to procure. The right hon. gentleman then proceeded to move resolutions, preliminary to a bill for carrying the plan into effect.

The bill was brought in; and on the 22d of August, the chancellor moved that it "be committed. On this occasion he announced, that the good fortune of his project had gone far beyond

his expectation. According to Mr. Rice, the day following the one on which the subscriptions were opened was very gloomy and rainy, and the right hon. gentleman explained to the house, we suppose in good faith, that the state of the barometer and the appearances of the weather had a very material influence upon large pecuniary transactions in the city. The subscriptions looked as lowering as the heavens—they fell with the mercury—and the amount was no more than 118,500*l.* From atmospheric influence, however, of a more genial character, or causes of another nature, they had risen rapidly the next day, and in the course of that on which he was now speaking, the whole remaining sum had been reduced to 279,000*l.* Mr. Rice then went on to congratulate the house on the success of his experiment. The saving of money was not the only consideration—the measure had been effected at a period when money was very scarce—when the bank had raised the rate of discount—when the interest upon loans had mounted to an almost unexampled extent—and, under these circumstances, he did not believe that there had ever before been an instance of a financial operation which brought to so severe a test the public credit of the country. In spite of every disadvantage, the funding of 4,000,000*l.* exchequer bills had been completed at the rate of about 3*l.* 6*s.* 0*d.* per cent., and he would venture to say that there was no hon. gentleman present who would have

* To 1,000 <i>l.</i> exch. bill	£1,000	0	0
Premium 12 per cent.	6	0	0
Bale	1	2	8
	£1,007	2	8

By 1,092 <i>l.</i> 11 <i>s.</i> 8 <i>d.</i> at 91½	£1,001	0	2
Discount upon payment	6	2	6
	£1,007	2	8

anticipated *à priori* so favourable a result.

When the chancellor of the exchequer had brought to a close his own eulogium, Mr. Hume, not impertinently, wished to know what would be the amount added to the permanent debt of the country by this operation, the amount of bills to be issued in order to supply the deficiency of the current year, together with the amount in present circulation for public works?

Mr. Rice was not able to answer off hand the questions of the inexorable member for Kilkenny; he stated, however, with regard to the bills now outstanding for public works, that they were reduced on the 5th of April to 195,000*l.*, and had since undergone a further diminution.

The deliberative labours of the house of lords were brought to an end in a long and most animated discussion on a motion, made, on the 24th of August, by lord Lyndhurst for "a return of all bills that had arrived from the house of commons since the commencement of the session, with the dates at which they were brought up." After directing the attention of the house to the fate of four important subjects—the Irish municipal corporations, the affairs of Canada, the recommendations of the ecclesiastical commissioners, and the administration of justice—to which their especial attention had been directed in the speech from the throne, the noble and learned lord went on to pass under a most searching review the whole parliamentary conduct of ministers in the course of the expiring session. We can only allude to the more striking passages of this able and elaborate performance.

The noble lord gave the follow-

ing history of the household question. Her majesty's ministers, he said, tendered their resignations, which were accepted, and they declared that they held office only until their successors could be appointed. Communications then took place for the purpose of forming another administration, and, pending those proceedings, the ministers who held office only until the appointment of their successors could be arranged, interposed in those negotiations, advised her majesty, directed notes, took part in the transaction, and were themselves the advisers of the crown upon the appointment of their opponents. The outgoing administration actually carried on the negotiation with their successors; and the result was this, that the cabinet whose resignations had been just accepted, advised her majesty to reinstate them in their office: for that was the constitutional inference of the conduct they had pursued. A proceeding like to that had never before taken place, and he trusted in God it would never occur, under any circumstances again. After alluding to the "shabby" expedient of making the ballot an open question, in order to recal the members who had deserted them on the first Jamaica bill, and glancing contemptuously at the "flight of bills," the *οἱ πολλοί* of legislation, which had come up to their house in the month of August, the noble lord adverted to the recent police acts. These had become necessary in consequence of disturbances for which ministers were deeply answerable. It was they who first aroused the people; it was they who first sent forth the watchword, "Agitate, agitate, agitate!" and they it was who were responsible

for the consequences that had followed. Agitation was convenient to place them in power; agitation, up to a certain point, was necessary to maintain them there; but they wished the flood to go so far and no further, and that there the proud waves should be stayed. In cases of this kind, however, it was much easier to raise these tempests than afterwards to check or direct them. In every age of the world the same course of proceeding had taken place. Unprincipled men made use of the multitude for their own ambitious purposes, and for the attainment of their own personal objects; they rode into power upon the shoulders of the people, and then it became inconvenient that those tumults and that violence to which they owed their elevation should be continued; then it became necessary to coerce and restrain, and then the deluded followers found out, for the first time, the duplicity and unworthiness of those whom, on former occasions, they eulogised and extolled.

Lord Melbourne replied to the noble lord in an effective speech, and met the invective of his opponent with some bitter observations on the motives and public estimation of the noble and learned baron. In the course of his remarks, the premier maintained a doctrine with regard to the proper functions of a government, which, however consistent with the less pretending principles attributed to the opposite party, would have sounded rather singularly on the lips of a lord high treasurer in the culminating hour of whig prosperity. It was rather an inglorious issue, after nine adventurous years, to take refuge in a conclusion, with which some belated Tory might probably have supplied him

at the commencement. "I apprehend," said the noble viscount, "that although many bills may not have been passed into laws, and many more may have been left unconsidered, yet it could not be said that the business of the country was left uncondacted, because the passing of laws was only an incidental duty of parliament. The principal function of parliament was to consider the estimates, to retrench what was superfluous, to correct what was amiss, and to assist the crown with those supplies and subsidies which it thinks it necessary to afford. Therefore it does not follow, because many bills do not pass in a session, that the business of the country is not vigorously and efficiently conducted. When, after all, noble lords look at the book we shall have compiled—to the volume of acts we shall have framed—they will, I dare say, find it sufficiently bulky, and probably sufficiently faulty in its nature to produce an additional crop of statutes in the next session." Language of the grossest kind had been applied by the noble baron to the transactions which had grown out of the Jamaica bill. He used the word "intrigue." "I have heard," said lord Melbourne, "that word from many quarters; I have heard other mean, base, and vile expressions applied to the conduct of that measure through the other house. I utterly deny and repel the word. I say that there was no intrigue, no management; neither was there anything mean, base, or perfidious in the whole of the transactions which then took place. I do not like to be betrayed into the language of strong asseveration, because truth does not require such language; but I utterly disclaim the impu-

tations and insinuations thrown out by the noble and learned lord.

Lord Melbourne's answer was followed by a very clever speech from lord Brougham, who contended that the country would not object to see the conservatives restored to office, for they would, of course, be compelled to grant reforms, and would moreover possess the power of passing measures of administrative improvement, which the present cabinet had neither means of carrying, nor the will to introduce, therefore it was that you now heard said of these men what had been sometimes spoken of whigs before,

"Whigs are deceivers ever;
One foot on sea and one on shore,
To one thing constant never."

But you also heard what had never before been added,

"Sigh not so
But let them go!"

The duke of Wellington assured lord Melbourne that his only wish had been to see a government in the country, and he hoped that the noble viscount would now turn over a new leaf, and really govern the country in future. He had had some little experience in these matters; he knew something about speeches from the throne; and he would now beg to submit to the noble viscount, that in future, before he submitted a list of measures to be recommended in the speech from the throne, he should consider those measures well before he inserted them in the speech that he should prepare those measures—that he should be ready to introduce them into parliament the moment that parliament met after the speech was delivered.

The 27th of August being the day appointed for the prorogation of parliament, her majesty entered

the house of lords escorted by her great officers of state for that purpose. When the queen had taken her seat, the Speaker of the house of commons accompanied by several members presented himself at the bar, and proceeded to address her majesty. After alluding to various measures which had occupied their attention during a most laborious session—The city police bill—The bill for the improvement of the discipline of prisons—The bill for enabling the magistrates to organize a constabulary force wherever it might be called for by the circumstances of the district—The reduction of postage, and the bill for suppressing the Portuguese slave trade, the right hon. gentleman concluded by presenting two bills of supply to which he prayed in all humility her majesty's assent.

The royal assent was given to several bills, and the lord chancellor then presented to the queen the following speech, which she read in her usual distinct and impressive manner.

"My Lords and Gentlemen,

"The public business having been brought to a close, I have now to perform the satisfactory duty of releasing you from your long and laborious attendance in parliament.

"I rejoice that a definitive treaty between Holland and Belgium, negotiated by the mediation of the Five Powers, has settled the differences between those two countries, and has secured the peace of Europe from dangers to which it had so long been exposed. The same concord which brought these intricate questions to a peaceful termination prevails with regard to the affairs of the Levant. The Five Powers are alike determined

to uphold the independence and integrity of the Ottoman empire; and I trust that this union will ensure a satisfactory settlement of matters which are of the deepest importance to the whole of Europe.

"It has afforded me the sincerest pleasure to have been able to assist in effecting a reconciliation between France and Mexico. Intent upon preserving for my subjects the blessings of peace, I am highly gratified when I can avail myself of an opportunity of removing misunderstandings between other powers.

"I have recently concluded with the king of the French a convention calculated to put an end to differences which have arisen of late years between the fishermen of Great Britain and France. This convention, by removing causes of dispute, will tend to cement the union between the two countries which is so advantageous to both, and so conducive to the general interests of Europe.

"I shall continue to pursue with perseverance the negotiations in which I am engaged to persuade all the powers of Christendom to unite in a general league for the entire extinction of the slave-trade; and I trust that, with the blessing of Providence, my efforts in so righteous a cause will be rewarded with success.

"I regret that the differences which led to the withdrawal of my minister from the court of Teheran have not yet been satisfactorily adjusted by the government of Persia.

"In order to fulfil the engagements announced to you at the opening of the present session, the Governor-general of India has moved an army across the Indus;

and I have much satisfaction in being able to inform you that the advance of that expedition has been hitherto unopposed; and there is every reason to hope that the important objects for which these military operations have been undertaken will be finally obtained.

"I have observed, with much approbation, the attention which you have bestowed upon the state and condition of the country. I entirely concur in the measures which you have framed for the preservation of order, the repression of crime, and the better administration of justice in this metropolis; and I have given a cordial assent to the bills which you have presented to me for the establishment of a more efficient constabulary force in those towns which peculiarly required it, and for effecting the important objects of generally extending the civil power throughout the country."

"Gentlemen of the House of Commons,

"I thank you for the zeal and readiness with which you have voted the supplies for the service of the year.

"It has been with satisfaction that I have given my consent to a reduction of the postage duties. I trust that the act which has passed on this subject will be a relief and encouragement to trade; and that, by facilitating intercourse and correspondence, it will be productive of much social advantage and improvement. I have given directions that the preliminary steps should be taken to give effect to the intention of parliament as soon as the inquiries and arrangements required for this purpose shall have been completed:

"The advantageous terms upon

which a considerable amount of the unfunded debt has been converted into stock afford a satisfactory proof of the reliance placed on the credit and resources of the country, as well as on your determination to preserve inviolate the national faith."

"My Lords and Gentlemen,

"It is with great pain that I have found myself compelled to enforce the law against those who no longer concealed their design of resisting by force the lawful authorities, and of subverting the institutions of the country. The solemn proceedings of courts of justice, and the fearless administration of the law by all who are engaged in that duty, have checked the first attempts at insubordi-

nation; and I rely securely upon the good sense of my people, and upon their attachment to the constitution, for the maintenance of law and order, which are as necessary for the protection of the poor as for the welfare of the wealthier classes of the community."

Then the Lord Chancellor, by her majesty's command, said—

"My Lords and Gentlemen,

"It is her majesty's royal will and pleasure that this parliament be prorogued to Thursday the 24th day of October next, to be then here holden; and this parliament is accordingly prorogued to Thursday the 24th day of October next."

Her majesty then quitted the house.

CHAPTER XII.

Report of the Poor Law Commissioners for 1839—Introduction of the Measure into Ireland—Auchterarder Case—State of the Question—Decision of the Court of Session—Judgment of the House of Lords—Meeting of the General Assembly—Motions of Dr. Cook—Dr. Muir—Dr. Chalmers—Proposal of Dr. Chalmers carried—Proceedings of the Chartists—National Convention—Their Hostility to the Middle Classes—They Oppose the Repeal of the Corn Laws—Alarming Riots at Birmingham—Strictures of the Duke of Wellington—Case of Lady Flora Hastings—Her Death—Ministerial Alterations—Dinner given to the Duke of Wellington at Dover by the Cinque Ports—Speech of Lord Brougham—Mr. Bradshaw's Speech at Canterbury—Colonel Thomas Censured by the Horse Guards for being present at a Dinner where an objectionable Speech was delivered—Queen Communicates her intended Marriage to the Privy Council—Mr. O'Connell's Loyalty—His Speech at Bandon—Attempt of Chartists under Frost to seize Newport—Serious Conflict with the Military—Ringleaders tried for High Treason by a Special Commission and Transported.

AT an early period of the year 1839 the poor-law commissioners presented the fifth annual report of their proceedings. Notwithstanding the severe trial which the efficiency of their system underwent in consequence of the scarcity of food and high price of provisions during the past winter, there is no point upon which the opinion of these gentlemen continues to be more inflexible than the refusal of out door relief to able bodied labourers. It is stated by them to have been in general the fact that in those unions where what they usually term the sound practice had been maintained before the observance became imperative by order of the commission-

ers, few or no applications were made in the course of the winter of 1838-9 for any relaxation either in general or in particular cases, while demands of this nature were of frequent occurrence in places where the restrictive system had been imperfectly adopted, and the injunctions met at first with a reluctant admission. They adduce, however, the testimonies of various persons to show that even those boards which were the most disinclined to the strict enforcement, were becoming at length sensible of its necessity, and would now be very reluctant to rescind the order, or to tamper with its principle.

It is further stated by the board, that although great apprehensions

were felt at the commencement of the winter from the anticipated pressure of the scarcity and high prices, and effectual preparations were made in many places for the counteraction of these disadvantageous causes, the condition of the labouring classes as evinced by the demands for relief was not eventually such as to call for any extensive arrangements. Those however who are aware of the extreme misery short of actual starvation which poor families, whether wisely or not, will often endure rather than accept the relief offered by the workhouse with its accompanying conditions of separation, and absolute pauperization, will hesitate perhaps to admit in its full extent the efficacy claimed for this test as a measure of the necessities of the poor.

Applications were directed to the board from many quarters to aid the remonstrances made with the farmers for an increase of wages. They did not, however, consider such an interference with the labour market within their province, and observe that any allowance on their part in aid of wages that would have occasioned a continuance of consumption at the ordinary rate of a full supply must in the end have aggravated the scarcity and the ultimate amount of suffering. The proper course, in their opinion, to be taken under the pressure of the dearness of the grain in general use was to procure a diminution of price by resorting to other grains or wholesome substances for food. This was indeed a plan naturally adopted by many of the independent labourers, and it was also submitted for the consideration of the guardians of districts where such changes were found desirable.

They mention, that cases of distress were in general very liberally met by private charity, whose place was no longer usurped by the poor-rate, and in a great majority of instances, where the regulations of the board were not broken or evaded by private subscriptions among the rate payers, the employer felt it to be more for his own interest to purchase the work of the labourer at a price that would support his family, than to be compelled to maintain them in the workhouse—the only alternative where the law is soundly administered.

In the three most northern counties several circumstances went to counteract the pressure of high prices. "Most of the people," says sir John Walsham, "had been previously in employ for high wages. Fuel is always cheap, and the labourers are in the habit of consuming a bread of mixed grain. The system also of paying partly in kind obtains partially in the district, and where the hindling or bonding system prevails the labourer is beyond the reach of bad harvests or dear seasons."

In Lancashire the guardians of five additional unions of the Tyldes, Garstang, Chorley, Clitheroe, and Bolton had assumed the administration of relief under the new regulations since the last report. The only instance of serious resistance to the progress of the measure occurred in the district of Todmorden in the course of the last November. Two constables who were engaged in executing a warrant of distress upon the overseer of Langfield were assaulted by a body of men who had been brought together by the ringing of a bell in one of Mr. Fielden's factories, which contributed a large contin-

gent of men to the rioters. The disturbance that ensued was so serious that notice was given that special constables would be sworn in in the course of a few days. In consequence of this announcement, the insurgents determined to take advantage of the interval for the destruction of the property of parties supposed to be favourable to the law; a very considerable demolition took place, and the families of the obnoxious persons were placed in such peril, that it was found necessary to call in the military to aid the constables in apprehending the rioters, and to leave a body of cavalry in the immediate vicinity of Todmorden. Several of the offenders were afterwards tried and convicted at York, but on this occasion the learned judge very justly observed, "that there were parties far more deserving of punishment, in reference to these transactions than the misguided men who then stood before him for sentence."

It is of course impossible at so early a stage of its introduction to give any account of the working of the measure for the relief of the poor in Ireland. In conformity with the recommendation of lord John Russell, the commission met in August, 1838, and came to a resolution that Mr. Nicholls should act as commissioner in Ireland for the execution of the act. Arrangements were made at the same time for securing him the assistance of four gentlemen who were already employed in the superintendence of districts in England, and four additional functionaries were subsequently nominated to act as assistant commissioners in Ireland. Mr. Nicholls reached Dublin on the 4th of September, and on the 11th of that month

took upon himself the exercise of the powers of the commission in Ireland under the provisions of the 11th and 122nd sections of the act. Although, however, the boards were thus separated into two, a perfect unity of action was insured by the regular interchange of minutes, and by the arrangement that all regulations requiring the seal of the commission should be sent to London for execution.

On the same occasion, the board delivered to the four assistant commissioners a letter of instruction for their guidance and information, and then proceeded to despatch them in their several directions to collect information and to explain the principle of the measure. These gentlemen brought in the result of their investigations on the 9th of October. They were then joined by their newly-appointed colleagues, and after a very full discussion of the whole question, the board concluded its deliberations by issuing to each of the assistants further instructions contained in a minute of the same date. These are of course too copious to be presented here, but it may be mentioned that they relate to the formation and size of the unions—the plans of building, and quantity of land to be attached to each of them—the electoral divisions—the number and qualification of guardians—the appointment of returning officers—and the manner of rating and assessment—and conclude by assigning to each a district in which he was to commence operations.

When the period approached for declaring unions, and constituting boards, it became necessary to provide for the conduct of the elections of guardians and other officers by the rate-payers. In towns

and many rural districts no difficulty was likely to be felt in finding competent persons, but it was apprehended that in other parts means equally satisfactory might not be found to exist. Under these circumstances it occurred to the board, that the constabulary police force, from their good organization and excellent character, might be made available for this purpose, and this arrangement was carried into effect with the concurrence of lord Morpeth.

It only remains to record the result of these proceedings. On the 25th of March, 1839, the number of unions declared was 22, and in 18 of these guardians had been elected. The requisite statistical details had also been completed for 9 other unions, which would very shortly be declared; and considerable progress had been made in arranging 9 more. But as the law could not come into operation until work-houses were provided, immediate steps were taken for the erection of these buildings, and Mr. Wilkinson was appointed architect to the commission.

"By unwearied exertion," says the report, "and great perseverance in explaining the objects and intentions of the new law, the assistant commissioners succeeded in removing much of the alarm and misapprehension which at first prevailed, and in obtaining very general co-operation; and we have the great satisfaction of stating, that all opposition has now subsided, and that the law, if not universally popular in Ireland, is at least universally acquiesced in."

On the 3rd of May, 1839, the decision of the court of session in the case of the presbytery of Auchterarder, which has created

so great a sensation in the Scottish establishment, was confirmed by the judgment of the house of lords. We proceed to give some account of the situation of the question.

In the year 1834, the general assembly passed an interim act on calls, better known by the name of the veto act, by which it was enacted, "that it shall be an instruction to presbyteries, that if, at the moderating in a call to a vacant pastoral charge, the major part of the male heads of families, members of the vacant congregation, and in full communion with the church, shall disapprove of the person in whose favour the call is proposed to be moderated in, such disapproval shall be judged sufficient ground for the presbytery rejecting such person, and that he shall be rejected accordingly, due notice thereof being forthwith given to all concerned." The church and parish of Auchterarder having become vacant in August, 1834, on the 16th of September thereafter, the earl of Kinnoull, as patron, issued a presentation to the said church and parish in favour of the rev. Robert Young, preacher of the gospel. The presentation having been sustained by the presbytery, an opportunity was afforded, in terms of the foresaid act and relative regulations, to the male heads of families to give in dissents from the call and settlement of Mr. Young as minister of the parish; and in consequence of dissents having been tendered by a majority of the male heads of families, Mr. Young was afterwards rejected as presentee to the said church and parish of Auchterarder.

Thereupon the earl of Kinnoull and Mr. Young instituted, in the court of session, a process of de-

clarator against the presbytery of Auchterarder, concluding *inter alia*, that it should be found and declared that the rejection of Mr. Young as presentee was *ultra vires* of the presbytery, in violation of the statutes libelled on, and to the serious injury of their patrimonial rights as patron and presentee.

The presbytery of Auchterarder having transmitted the summons executed against them to the commission of the general assembly, which met in November 1835, and the commission having heard a statement from the commissioners of the presbytery of Auchterarder, were, as the record bears, unanimously of opinion "that this is an action which ought to be defended, and therefore recommended to the general assembly to authorize the procurator to conduct the defence at the expense of the church; and, in the meantime, approve of the offer of the procurator to take charge of the cause in the name of the presbytery of Auchterarder, so far as may be necessary, before the meeting of the next general assembly."

The process having been defended, accordingly, by the presbytery of Auchterarder, under the sanction and at the expense of the general assembly, the following judgment was pronounced by the court of session:—"Edinburgh, 8th March, 1838—The lords of the first division having considered the cases for the earl of Kinnoul and the rev. Robert Young, and for the presbytery of Auchterarder, and additional plea in defence admitted to the record, and having heard counsel for the said parties at great length, in presence of the judges of the second division and lords ordinary, and having heard the opinions of the said judges,

they, in terms of the opinions of the majority of the judges, repel the objections to the jurisdiction of the court, and to the competency of the action as directed against the presbytery. Further, repel the plea in defence of acquiescence. Find, that the earl of Kinnoul has legally, validly, and effectually exercised his right, as patron of the church and parish of Auchterarder, by presenting the pursuer, the said Robert Young, to the said church and parish: find, that the defenders, the presbytery of Auchterarder, did refuse, and continue to refuse, to take trial of the qualifications of the said Robert Young, and have rejected him as presentee to the said church and parish on the sole ground—as they admit on the record—that a majority of the male heads of families, communicants in the said parish, have dissented, without any reasons assigned, from his admission as minister: find, that the said presbytery, in so doing, have acted to the hurt and prejudice of the said pursuers illegally, and in violation of their duty, and contrary to the provisions of certain statutes libelled on; and, in particular, contrary to the provisions of the statute 10th Anne, chap. 12, entitled, 'An act to restore patrons to their ancient rights of presenting ministers to the churches vacant in that part of Great Britain called Scotland:' in so far repel the defences stated on the part of the presbytery, and decern and declare accordingly; and allow the above decree to go out, and be extracted as an interim decree, and with these findings and declarations remit the process to the lord ordinary to proceed further therein as he shall see just.

(Signed) "C. HOPE, I. P. D."

In terms of the authority given by the general assembly to the procurator for the church, on the 24th May, 1838, to appeal the judgment of the court of session, so soon as he, and the other counsel for the presbytery in the said cause, shall think fit, an appeal was entered to the house of lords, by whom the following judgment was pronounced: "3rd May, 1839—It is ordered and judged by the lords spiritual and temporal, in Parliament assembled, That the said petition and appeal be and is hereby dismissed this house, and that the said interlocutor therein complained of be, and the same is, hereby affirmed."

On the 22d of the same month, the sentence given by lord Brougham in the house of lords was taken into consideration by the general assembly. Rival motions were submitted on this occasion to the house by Dr. Cook, Dr. Chalmers, and Dr. Muir. The first of these gentlemen moved,

"Under these circumstances it is moved, 'That the act on calls, commonly denominated the Veto Act, having been thus declared by the supreme civil tribunals of the country to infringe on civil and patrimonial rights, with which the church has often and expressly required that its judicatories should not intermeddle, as being matters incompetent to them, and not within their jurisdiction, it be an instruction by the general assembly to all presbyteries, that they proceed, henceforth, in the settlement of parishes according to the practice which prevailed previously to the passing of that act; keeping specially in view the undoubted privilege of parishioners to state, at the moderation in the call, any relevant objections to the induc-

tion of presentees; upon which presbyteries, after hearing parties, shall decide, it being in the power of these parties to appeal, if they see cause, to the superior church courts."

The proposition of Dr. Chalmers was as follows:—

"The general assembly having heard the report of the procurator on the Auchterarder case, and considered the judgment of the house of lords, affirming the decision of the court of session, and being satisfied that, by the said judgment, all questions of civil right, so far as the presbytery of Auchterarder is concerned, are substantially decided, do now, in accordance with the uniform practice of this church, and with the resolution of last general assembly ever to give and inculcate implicit obedience to the decisions of civil courts in regard to the civil rights and emoluments secured by law to the church, instruct the said presbytery to offer no further resistance to the claims of Mr. Young or of the patron to the emoluments of the benefices of Auchterarder, and to refrain from claiming the *jus devolutum*, or any other civil right or privilege connected with the said benefice.

And whereas the principle of non-intrusion is one coeval with the reformed kirk of Scotland, and forms an integral part of its constitution, embodied in its standards, and declared in various acts of assembly, the general assembly resolved that this principle cannot be abandoned, and that no presentee shall be forced upon any parish contrary to the will of the congregation.

And whereas, by the decision above referred to, it appears that when this principle is carried into effect, in any parish, the legal pro-

vision for the sustentation of the ministry in that parish may be thereby suspended, the general assembly being deeply impressed with the unhappy consequences which must arise from any collision between the civil and ecclesiastical authorities, and holding it to be their duty to use every means in their power, not involving any dereliction of the principles and fundamental laws of their constitution to prevent such unfortunate results, do therefore appoint a committee for the purpose of considering in what way the privileges of the national establishment and the harmony between church and state may remain unimpaired, with instructions to confer with the government of the country if they see cause.

Dr. Muir then moved a string of resolutions with the object of combining the objects of both. On the first division, 197 voted for the motion of Dr. Chalmers, and 161 for the resolutions of Dr. Muir—majority 36. On the second division 204 members supported Dr. Chalmers' motion, and 155 sanctioned that of Dr. Cooke, which was consequently lost by a majority of 49.

At the meeting of the general assembly, on Thursday, Dr. Cooke and the earl of Dalhousie expressed their intention not to act on the committee to be appointed under Dr. Chalmers's motion.

The earl of Dalhousie said, "I shall not again consent to sit in the judicatories of any church, which, gloss it as you may, has resolved doggedly but virtually to set at defiance the law of the land. The knell," said he, "is now rung of the establishment of the church of Scotland."

Any one who will reflect upon

the countless numbers of the human race collected in our great manufacturing cities, whose whole life is devoted to the creation of the wealth or the means of pleasure of another class, with whom they are placed in no more personal or sympathetic relation than that of the payment of wages, which are too often the source of discontent and exasperation, and also takes into his consideration their unnatural and highly stimulated manner of life they lead, their predilection for irregular and fanatical opinions, and the state of utter destitution of any religious instruction in which they have grown up, the rapid fluctuations in their means of existence, together with the fatal facility of organisation possessed by persons so situated, cannot but admit, that the subject forms one of the most immediately formidable problems of our domestic legislation.

Such observations naturally suggest themselves on attending to the proceedings of the chartists, of whom some account has already been given in the volume devoted to the occurrences of 1838. That year, as the reader is aware, closed with the arrest of their leader, Mr. Stephens, an event which was made the occasion of numerous tumultuary meetings, at which Messrs. Oastler and Feargus O'Connor gave way to a more than customary licence of frantic and seditious declamation. Texts of scripture were distorted to sanction their culpable proceedings, and ironical exhortations to abstain from acts of violence had their intended effect in suggesting the measures which they appeared to deprecate.

It was not to be expected that demonstrations of this nature would

not proceed beyond their deliberative stage. Pikes and guns were procured in great quantities by the labouring classes, and the system of armed processions and nocturnal intimidation proceeded to such a length, that lord John Russell felt compelled to issue an order to the lord-lieutenants in the more disaffected counties, authorizing them to accept the armed assistance of persons who might place themselves at their disposal for the preservation of the public peace.

The chartists were in the habit of resorting to many methods, in order to impose upon the majority of the people the impression that they were the strongest party in the country, and carry their plans into effect without resistance on the part of their more pacific fellow-subjects. One mode of proceeding was to go round from house to house with two books, and to say, that those persons who subscribed should be put down in one book, while the non-subscribers were entered in another. The latter were informed that a time would come when the refusal would be remembered. Those who put down their names paid a small contribution, and received in return a ticket, which they were told would be a security to the person who held it.

Another practice of these misguided people was, to go in procession to the churches some time before divine service began, and to take entire possession of the body of the edifice. The scene was of course anything but decorous. Some wore their hats—others had pipes in their mouths—but it was not usually found that their conduct exceeded this confessedly unbecoming behaviour.

At a very early period of the

year 1839, the chartist combinations in the different cities of the united kingdom proceeded to the election of deputies, in order to form a national convention, which was to have moveable sittings, and to be intrusted with the ultimate direction of their proceedings. All the earlier sessions of this assembly were passed in London, where they were engaged in superintending the signature and presentation of the "National Petition," which was signed by 1,200,000 persons, and presented to the house of commons by Mr. Attwood on the 14th of June. This enormous document had for its principal object the concession of what were usually styled by the chartists, the "people's charter," or the "five points." These were—the vote by ballot, universal suffrage, annual parliaments, payment of members, and the abolition of a property qualification.

Another remarkable feature in the chartist agitation was the hostility declared by them, not so much against the privileged orders of the state, who have hitherto been the especial objects of democratic indignation, as against the capitalists in general. It was, in fact, an insurrection directed avowedly against the middle classes; and these violent alterations in the form of the government were sought by them, as far as they could have any definite purpose, less for the sake of any additional power or privilege which might be expected by these means to fall to their share, than with the view of bringing about some hitherto unexperienced state of society, in which the effects of accumulated funds, in employing labourers at insignificant sums for the aggrandizement of the possessors, would

have utterly disappeared. And it was for this reason, that they set their faces in every possible way against the numerous meetings for the abolition of the corn-laws, which took place contemporaneously with their own assemblages, at the commencement of the current year. In their opinion, any relaxation in the duties upon the importation of corn would, by lowering the rate of wages, turn to the profit of the employer alone, at the same time that the pre-occupation of the public mind with another subject appeared to place an impediment in the way of the execution of their own projections.

Serious conflicts with the police and the military took place in Devizes, Llanidloes in Wales, Sheffield, Bolton, Newcastle, and the district of the Potteries, but in the month of July, the town of Birmingham became the scene of the most alarming disturbances. The national convention was then holding its sittings in that city, and contributed great activity to the motions of the chartists, who made a practice of assembling in great numbers every evening on the open place called the Bull-ring. On the 5th of July these disorderly persons met as usual in the great square. The borough magistrates, however, who had for some days been in constant communication with the home-office, had by this time bespoken a picked body of sixty policemen from the metropolis. The railway train delivered them at Birmingham that evening, and without even waiting for the cooperation of the military, they proceeded immediately to the scene of confusion. They began by directing the people to disperse, but when this injunction was seen to take no effect, the police filed off

VOL. LXXXI.

four abreast, and made for the monument of lord Nelson which stood in the centre of the Bull-ring, set round with the flags of the convention. These they succeeded in capturing, but the mob, who had been at first disconcerted by the impetuosity of the charge, when they beheld their ensigns one of which bore a death's head in the hands of the enemy, made a desperate return, recovered the contested banners, broke the poles up into short sticks, and after a fierce and indiscriminate combat in which several of the policemen who were only armed with staves, were seriously hurt, and more than one man stabbed, the chartists began at length to obtain the advantage.

Fortunately, however, at this juncture, the 4th dragoons arrived on the spot. Riding by concert up every avenue which led to the place, they completely inclosed the Bullring. The appearance of the military was the signal for the people to disperse, and the routed mob proceeded with the cavalry in close pursuit down Digbeth and up Bromsgrove-street to St. Thomas's church. Here they tore up the palisades, and for a moment made a stand. But the tumult was eventually reduced, by midnight the streets were comparatively quiet, and the military planting a guard in the great square retired to their barracks.

One of the fruits of this encounter was the seizure of Dr. Taylor, the Paisley delegate to the convention. Messrs. Lovett and Collins who were convicted on their own admission of issuing a seditious placard which had been extensively posted up on the morning after the riot, were also arrested. The course of their examination gave

[X]

rise to an altercation between the former of these gentlemen and Mr. Muntz, who now sat on the bench, which could not be very agreeable to the feelings of the magistrate who had himself been one of the most intemperate promoters of the political union. They were eventually bound over to appear at the ensuing assizes at Warwick.

In the meanwhile, although the active measures taken by the magistrates in conjunction with the police and the military, now augmented by a detachment of the rifles from Weedon, prevented any so general an outbreak as that which we have just related, the town continued for some days to be in a state of feverish excitement, and it was evident that the chartists were not satisfied with the effects of their recent demonstration.

While these transactions were taking place in Birmingham, Mr. Attwood brought forward his motion for a committee to take into consideration the national petition. The proposal was, however, rejected by a large majority. This did not tend to mitigate the discontent, and a general expectation prevailed on Monday the 15th, that the member for Birmingham would address the chartists that evening upon his old ground of Holloway Head. Under this apprehension the spot was occupied during the day by small groups of idle artisans, who amounted by half-past six to about 200. Several speakers addressed them, but when it became evident that Mr. Attwood would not make his appearance, an orator recommended them to form into line and parade in an orderly manner through the principal streets. But little disposition was felt to acquiesce in

this peaceable procedure. The multitude congregated into small knots of persons, and then set off promiscuously into the town. The chief rendezvous was of course the Bullring. No police were on the spot. The mob continued to pour in from other quarters, and then proceeded down Moor-street to the public office. A detachment of police were in the inner court, but no magistrate was at the moment on the ground—and as they were forbidden to act without orders, all the windows of the building were broken, and under the impression that neither the military nor the constabulary dared to face them; the tumultuous concourse, now some thousands strong, poured back again uninterruptedly into the square. No sort of weapon came amiss: broken flag-staves, heavy bludgeons, even old scythes were brought into use, while some loosened the pavement for those whose hands were empty, with the iron rails which they had torn up in the out-skirts of the town. The work of demolition commenced with a violent assault on the shop of Mr. Bourne, a grocer. The bars of wood and iron could not long resist the repeated impulses of the ponderous palisades wrenched away from the monument in the centre. Mr. Leggett, the upholsterer's house was the next point of attack. The whole frontage of the building was shattered. The infuriated mob rushed into the premises, and cast out of the windows into the hands of the multitude beneath every article of furniture and property. These no sooner fell than they were broken up, and whatever was of a combustible nature the people carried into the centre of the square, and piling goods of all sorts, chests

and canisters, linen drapery and upholstery one upon another, set fire to them altogether. Not content with this they carried back the burning materials and deliberately set Mr. Bourne's and Mr. Leggett's premises in flames. A simultaneous attack was made upon the Nelson hotel, and by casting the lighted brands into the doors of other shops which had been forcibly driven in, they were on the point of kindling a general conflagration, when, at length, after the work of destruction had been for more than an hour in uninterrupted progress, the police made their appearance at half past ten o'clock under some magistrates, and followed by the military. The first onset was followed by an almost instantaneous discomfiture; even before the troops came up the ringleaders had made their escape, and by midnight the mob had dispersed, and the thoroughfares remained tranquil until the morning opened upon the scene of these excesses, and revealed the whole extent of the devastation. Besides the premises which were consumed by fire, nearly twenty shops were destroyed, and it was reckoned that forty thousand pounds would not cover the damages. When the event became known in London, the duke of Wellington declared in the house of lords that he had never known a town taken by storm so badly treated, and severe strictures were passed by the duke and other peers upon the conduct of the magistrates of Birmingham. An inquiry however which was subsequently instituted by the home office into their behaviour terminated in their exculpation.

We may here allude to a distressing transaction which took

place at an early period of the year, and contributed in no small degree to render the court unpopular with the country. In consequence of the symptoms of an illness under which she suffered, lady Flora Hastings, a lady attached to the person of the duchess of Kent, was accused in an exalted quarter by certain parties in the palace of being enceinte, and driven eventually to submit to a medical examination. Her innocence was of course established, but not very long after she had undergone this cruel indignity, the unfortunate lady died—a fate which was owing it is to be feared, at least as much to the effect of grief and mortification as to the natural progress of her actual malady. For a more detailed account we must refer to the Chronicle, where the reader will find the statement of the marquess of Hastings, the brother of the deceased, given at length, together with sir James Clarke's own vindication of the part he was led to take in these miserable proceedings.

The government only awaited the close of the session whose annals we have been recording, to effect the new ministerial arrangements which had been resolved upon when they returned to office, with the view of strengthening their hands by securing the services of several gentlemen of a more liberal complexion.

Very considerable alterations took place in the distribution of offices, as will be seen by the following statement. The marquess of Normanby changed places with lord John Russell, who went to the colonial office. At the same time Mr. Francis Baring was made chancellor of the exchequer in lieu of Mr. Spring Rice, who

[X 2]

was raised to the peerage by the title of baron Monteagle, and soon after succeeded sir John Newport, who was induced to retire upon a pension, in the post of comptroller of the exchequer, with a salary of 2,000*l.* per annum. Mr. Poulett Thomson was appointed to supersede sir John Colborne, who was afterwards made a peer, in the government of Canada. The earl of Clarendon was intrusted with the privy seal, and Mr. Macaulay became secretary at war, with a seat in the cabinet, in the room of viscount Howick, who had quitted the administration. At a subsequent period the noble viscount gave the reasons which led him to take this step. When the cabinet resumed the responsibilities of office in May 1839, said lord Howick, it was determined that an effort should be made for increasing the power and stability of the government. This object in his own opinion would have been best attained by such a disposal of places as would recover the confidence of those who had been their supporters, and were inclined to carry out every practical reform, at the same time that they were not prepared to admit any further alteration in the existing constitution of Parliament. The modifications in actual contemplation were not however communicated to him by lord John Russell until the parliament was within a few days of prorogation. Upon that occasion lord Howick stated to his noble friend his objections to the proposed arrangements which did not attach to any person in particular, but to the political import of all the changes taken together. The composition of the cabinet ought not, he thought, to be such as to encourage undefined expectations of fur-

ther change, and when he found, upon corresponding with lord John Russell, that the whole of the appointments to which he had objected were unalterably fixed, no other course remained than the offer of his resignation, which was accepted. Mr. Charles Wood, secretary of the admiralty, the brother-in-law of lord Howick, resigned shortly after, and was replaced by Mr. More O'Ferrall. Another Irish gentleman, Mr. Wyse, filled the vacated seat among the lords of the treasury, while Mr. Shiel was created vice-president of the board of trade. Sir George Grey was taken into the cabinet, Mr. Labouchere was appointed to preside in the room of Mr. P. Thomson over the board of trade, and Mr. Vernon Smith became under-secretary for the colonies.

While these alterations in the *personnel* of the cabinet were in process, the great entertainment which had been so long preparing for the lord warden of the Cinque Ports took place at Dover, on the 30th of August, in a handsome pavillion erected for the occasion. The floor of the dining-room was 130 feet long by 120 broad. The gallery was filled with ladies; and nearly 2,000 persons, including many distinguished men of various opinions, sat down to dinner. Many speeches were made on the occasion; but the great toast of the day was confided to lord Brougham, who was greeted with the most tumultuous cheering when he rose to propose the health of the duke of Wellington. We can only find room for a few extracts from the speech of the noble lord, which will however convince the reader, that he did not permit the object of his encomium to suffer from

faint praise. Every sentence was interrupted with the loudest cheering. "Although no man," observed lord Brougham, "on such an occasion is entitled to entertain any personal feelings on his own behalf, it would be affectation—it would be insolent ingratitude, were I not to express the sentiments which glow within my bosom at being made the instrument of making known those feelings which reign predominant in yours. Enough, however, of myself. Now for my mighty subject. But," he continued, "the choice you have made of your instrument—of your organ, as it were, upon this occasion—is not unconnected with that subject; for it shows that on this day, on this occasion, all personal, all political feelings are quelled—all strife of party is hushed—that we are incapable, whatever be our opinions, of refusing to acknowledge transcendent merit, and of denying that we feel the irresistible impulse of unbounded gratitude: and I am therefore asked to do this service, as if to show that no difference of opinion upon subjects, however important—no long course of opposition, however contracted upon public principles—not even long inveterate habits of public opposition—are able so far to stifle the natural feelings of our heart, so far to obscure our reason, as to prevent us from feeling as we ought—boundless gratitude for boundless merit. Neither can it pluck from our minds that admiration proportioned to the transcendent genius in peace and in war of him who is amongst us to-day; nor can it lighten or alleviate the painful, the deep sense which the untired mind never can get rid of when it is overwhelmed by a debt of

gratitude too boundless to be repaid. Party—the spirit of party—may do much, but it cannot operate so far as to make us forget those services; it cannot so far bewilder the memory, and pervert the judgment, and quench and stifle the warmth of the natural affections, and eradicate from our bosoms those feelings which do us most honour and are the most unavoidable, and as it were dry up the kindly juices of the heart; and, notwithstanding all its vile and malignant influence on other occasions, it cannot dry up those juices of the heart so as to parch it like very charcoal, and make it almost as black. But what else have I to do? If I had all the eloquence of all the tongues ever attuned to speak, what else can I do? How could a thousand words, or all the names that could be named, speak so powerfully—ay, even if I spoke with the tongue of an angel, as if I were to mention one word—sir Arthur Wellesley, duke of Wellington—the hero of a hundred fields, in all of which his banner has waved in triumph; who never—I invoke both hemispheres to witness—bear witness Europe, bear witness Asia—who never advanced but to cover his arms with glory; the captain who never advanced but to be victorious, the mightier captain who never retreated but to eclipse the glory of his advance by the yet harder task of unwearied patience, indomitable to lassitude, the inexhaustible resources of transcendent skill, showing the wonders, the marvels of a moral courage never yet subdued. Despising all that thwarted him with ill-considered advice—neglecting all hostility, so he knew it to be groundless—laughing to scorn reviling enemies, jealous

competitors, lukewarm friends—ay, hardest of all, to neglect despising even a fickle public; he cast his eye forwards as a man might—else he deserves not to command men—cast forward his eye to a time when that momentary fickleness of the people would pass away—knowing that in the end the people are always just to merit.”

The flight of the noble proposer contrasted singularly with the very temperate tenour of the reply which it called forth. “The noble lord,” proceeded the duke of Wellington, “who I hope will allow me to call him my noble friend, has stated to you with great truth, that there are times and circumstances in which, and under which, all feelings of party, all party animosity, all descriptions of political feelings must be laid aside. I must do my noble and learned friend the justice to say, that for years and years there has been nothing of that description in social life as between him and me, notwithstanding that it is certainly true that I have had the misfortune of differing in opinion with my noble and learned friend upon many points of internal and possibly of other descriptions of policy. But I am afraid that, notwithstanding the cordiality in which I have always lived with you, and notwithstanding my most anxious wish to co-operate with all of you in the public service in which we have all been employed, I may happen (I know it does happen) to differ with some of you upon subjects of political interest to the country. But my noble and learned friend judges of you correctly when he states that such feelings of difference would not prevent you—as they have not prevented

you—from doing me the honour of uniting me to this festival, and of bringing here to meet me, not only the whole of this interesting county, but persons from all parts of the kingdom, and even from abroad. Therefore my noble and learned friend does you as well as himself justice when he states that there are occasions—occasions in relation to individuals as well as in relation to public interest and services—in which all feelings of party politics and opinions must be laid aside, in order to carry on the public service to the greatest point of advantage to the public interest. I have had sufficient experience in public life to know that this must be the case. I am convinced that it is that feeling which has induced you to pay this tribute of respect to the person holding the situation of lord warden of the Cinque Ports, in order that you might encourage others hereafter to perform their duty honestly and conscientiously in the same honourable office.”

The conservative portion of the community, it is well known, are usually very much occupied during the interval of leisure which follows the prorogation of parliament, with discussing the events of the past campaign, and the future prospects of the party, on a variety of occasions of public festivity. At moments like these, the fortunes of the cause naturally wear a more triumphant aspect, the fate of the opposite interest seems to be more deservedly desperate; nor is it perhaps to be wondered at, if the agreeable accessories of generous wine, and the rounds of prompt approbation should sometimes betray the unguarded orator into expressions which he can scarcely believe to be his own, when the morning, that brings reflection,

places them also before his eyes in the columns of the recording newspaper.

A speech, delivered by Mr. Bradshaw, the member for Canterbury, at the dinner of the registration society on the 20th of October, affords a striking instance of this kind of indiscretion, and in the absence of more important events, was turned to so much advantage by the journals and meetings of the opposite faction, that we have thought a few passages, on this account alone, deserving of insertion. Mr. Bradshaw is represented as having spoken of the highest personage in the realm in the following reprehensible language: "Brought up under the auspices of the citizen king of the Belgians, the serf of France, and guided by his influence, the queen thinks that if the monarchy lasts her time, it is enough: but the people of England will never consent that the crown shall be degraded and debased for the inglorious ease of any created being [*tremendous cheers*], nor that the personal wishes and caprices of the sovereign shall direct the conduct of the executive—[*Renewed cheering*]. The monarchy has also its rights, but it has also its duties. The people of this country will not be trampled on by pope or sovereign, still less will they endure that a petty German prince shall hold the fair realm of England in fee farm—[*Applause*]. We have not forgotten the forced abdication of the second James, nor are we ignorant that the title to the throne of these realms is that derived from a Protestant princess. No one," pursued Mr. Bradshaw, "can regret more than I do, the growing unpopularity of the queen—[*cheers*]—and her court; but look at the composition of that court and its

acts. The courtiers and ministers are identical, and their petty and criminal intrigues are carried into every department of the state. The courts of former sovereigns have been as frivolous, more vicious even than the present, but the government of the country and the direction of public affairs have been carried on by statesmen of known and recognised ability, honour, and independence—[*cheers*]—men who were neither the boon companions of the sovereign, nor the willing slaves of his follies and caprices—[*Great cheering*]. I believe in my conscience that the favourite equerries are younger, better looking, and better dressed men than sir Robert Peel, that lord Melbourne can tell a tale meet for a lady's ear far better than the duke of Wellington, and that neither lord Stanley nor sir James Graham can compete with my lord Normanby in the getting up of a pageant; but are these the qualifications which the people of England prize so much as to sacrifice to them their religion, their national honour, and the care of their ancient institutions?"—[*Tremendous applause*.]

It is but justice, however, to add, that the member for Canterbury subsequently stated that his speech had not been accurately reported.

At about the same period, the presence of the colonel and officers of the 20th regiment at another dinner of the conservative association of Ashton-under-Lyne, where very intemperate speeches of a similar nature were delivered, attracted the notice, and eventually severe censure, of the Horse Guards. By order of the commander in chief, the adjutant-general, sir John Macdonald, was

instructed to forward to colonel Thomas, on the 3rd of November, an extract of "expressions most insulting and disrespectful towards the queen," which were reported in the "*Times*" to have been used by Mr. Roby on that occasion, and to beg him to acquaint the writer, for lord Hill's information, whether colonel Thomas heard them, and whether if they reached his ears he expressed immediately his disapprobation of those sentiments. "I am to add," said sir John, "that it is most painful to lord Hill to know that officers of the army were present on such an occasion; but that his lordship will refrain from passing any opinion on the case until you shall have furnished such explanation relative thereto as you may be prepared to submit for his consideration."

Colonel Thomas acknowledged the receipt of the letter on the following day. Without pretending to answer for the accuracy of the isolated passages taken from the newspapers, he stated in reply, that as no expression uttered by Mr. Roby conveyed to his mind that the slightest disrespect, much less insult, was intended by that gentleman for the queen, there appeared to be no ground for manifesting any disapproval. "I had flattered myself," continued the gallant officer, "that my long and painful services of upwards of one-and-forty years might have assured lord Hill that I would not have been wanting had such an impression been received by me.

"I have to lament that the knowledge of officers having been present on such an occasion should be painful to lord Hill. With reference to myself, I was honoured with an invitation as a member of parliament to meet sir Francis

Burdett, which I could have no hesitation in accepting."

The Horse Guards were not satisfied with this explanation, and desired colonel Thomas to restrict his answer to "the simple denial or admission required of him in their first communication?"

Colonel Thomas replied, that after the assertion made in his first answer, and the further statement subsequently given in a letter of the 14th inst, in which he denied having heard the *particular* expressions quoted, and gave his opinion that the extract was "a garbled report" of the words which actually fell from Mr. Roby, he had no further explanation to make—nothing more either to retract or to admit—and he stood upon his character as a soldier and his birth-right as a gentleman, which he could not but feel had been reflected upon by most unmerited suspicion.

The last document in this transaction is a communication from sir J. Macdonald to the commander of the northern district, sir Charles Napier. After recapitulating the circumstances of the case, sir John goes on to say, with reference to the above proceedings,—

"It is most painful to lord Hill to observe, that, upon their own showing, colonel Thomas and the other officers in question have placed themselves in the mortifying predicament of being obliged to confess that they lent their presence to a meeting of a strong party character, at which expressions were uttered which they are unprepared to prove the propriety of towards the person of their sovereign.

"In this state of a case, on every account very distressing to him, it remains for lord Hill but to order

that you convey to colonel Thomas, and to every other officer belonging to the forces now serving under your command, who was present upon the above occasion, the expression of his lordship's most pointed and decided displeasure; reminding them that, as military servants, they are bound to confine themselves to their military duties; and that when they thus venture to connect themselves with any party association, under any circumstances, or upon any pretence whatsoever, they incur a heavy responsibility, and expose themselves to the heaviest blame.

"In Colonel Thomas's first letter to the adjutant-general upon this unpleasant subject, he states that he was invited by this conservative association 'as a member of parliament.' In reference to that part of the colonel's statement, I have it specially in command to declare, that, whilst lord Hill yields to no one in respect for the privileges of a member of parliament, his lordship will not suffer any officer of the army to build his justification upon them, when he thinks fit to resort to a measure calculated to compromise the character and discipline of his profession.

"Lord Hill thinks it scarcely necessary to add, that the prohibition to attend party meetings, in their military capacity (except when on duty and in aid of the civil authorities of the country), applies to the officers of the army at large.

"His lordship's final orders are, that you, on receipt hereof, or as soon thereafter as may be practicable without subjecting the public service to injury or inconvenience, proceed to Ashton-under-Lyne, and there assemble the

officers of the 20th regiment (commanding captain Ainslie's presence likewise), reading this letter to them, and intimating to them that his lordship will allow no further discussion of a subject which has already been exhausted by official correspondence, upon which no new facts can be elicited, and upon which therefore his opinions are settled and immutable.

"I have, &c."

Here the matter ended, but it continued for some time to be very violently discussed by the newspapers of the different political parties; and indeed it must be admitted, that the loyalty of the queen's conservative subjects was in danger of taking some discredit by the intemperance of partisans whose zeal perhaps is greater than their wisdom.

In the meanwhile, her majesty was pleased to communicate to the members of the privy council assembled at Buckingham-palace, on the 23rd of November, her intention of contracting an alliance with a prince of the fortunate family of Saxe Coburg Gotha. The declaration was made by her majesty in the following terms:—

"I have caused you to be summoned at the present time in order that I may acquaint you with my resolution in a matter which deeply concerns the welfare of my people, and the happiness of my future life.

"It is my intention to ally myself in marriage with the prince Albert of Saxe Coburg and Gotha. Deeply impressed with the solemnity of the engagement which I am about to contract, I have not come to this decision without mature consideration, nor without feeling a strong assurance that, with the blessing of Almighty

God, it will at once secure my domestic felicity, and serve the interests of my country.

"I have thought fit to make this resolution known to you at the earliest period, in order that you may be fully apprised of a matter so highly important to me and to my kingdom, and which I persuade myself will be most acceptable to all my loving subjects."

Upon this announcement, all the privy councillors present made it their humble request to her majesty, that her majesty's most gracious declaration to them might be made public; which her majesty was pleased to order accordingly.

Since the accession of queen Victoria, no man has taken greater pains to acquire a character for loyalty than Mr. O'Connell, who is only too eager to protect the queen, in his own way, from the conservatives no less than the chartists, as the reader will gather from the delicate extract which we have preserved from his speech at Bandon, on the 5th of December.

"We must be," cried the great agitator—"we are—loyal to our young and lovely queen—God bless her!—*[Tumultuous cheers.]* We must be—we are—attached to the throne, and to the lovely being by whom it is filled. She is going to be married!—*[Tremendous applause.]* I wish she may have as many children as my grandmother had—two-and-twenty!—*[Immense cheering and laughter.]* God bless the queen! I am a father, and a grandfather; and, in the face of heaven, I pray with as much honesty and fervency for queen Victoria, as I do for any one of my own progeny. The moment I heard of the daring and audacious

menaces of the tories towards the sovereign, I promulgated, through the press, my feelings of detestation and my determination on the matter. Oh! if I be not greatly mistaken, I'd get, in one day, five hundred thousand brave Irishmen to defend the life, the honour, and the person of the beloved young lady by whom England's throne is now filled—*[Exulting and protracted cheers.]* Let every man in the vast and multitudinous assembly stretched out before me, who is loyal to the queen, and would defend her to the last, lift up his right hand—*[The entire assembly responded to the appeal.]* There are hearts in those hands. I tell you, that if necessity required, there would be swords in them—*[Awful cheering]."*

We have already mentioned that there was scarcely any town of importance in the manufacturing districts whose tranquillity was not compromised by the chartists in the course of the year. We have, however, now to relate the particulars of an insurrection even more alarming than the Birmingham outrage, which broke out at Newport in Monmouthshire at the close of 1839. This town is the capital of a tract of country called the Hill district, which forms a sort of triangle, the apex of which may be placed at Risca, five miles from Newport, the base at about a distance of fifteen or twenty miles. The whole region is intersected by glens watered by streams, and maintains a mining population of nearly forty thousand persons in regions which fifty years ago exhibited nothing but the scattered dwellings of a few shepherds. They are represented to be in a condition of great ignorance, and had been, it appears, for some time

organized by the practices of inflammatory agents into secret societies, through whose means the directions of their leaders were very rapidly circulated and put in execution.

The chief actor in these proceedings was a person named Frost, a linen draper in Newport, who had some years before been created a magistrate by lord John Russell in spite of a remonstrance which was made against the appointment on the grounds of his being then committed to a course of popular agitation inconsistent with the moderation desirable in persons placed in the commission of the peace. It will perhaps be remembered that the same individual had very recently attracted the censure of the home office by the delivery of a seditious harangue. A very insolent reply was returned by Mr. Frost to lord J. Russell, and he was forthwith removed from the magistracy, a measure which may perhaps have had the effect of precipitating the execution of his insane and mischievous intentions.

It appears that after various conferences conducted under the profoundest secrecy in the presence of Frost, the plan was finally adopted at a convention of the deputies at their customary rendezvous, a public house near Blackwood, on the Friday preceding the actual insurrection. They made a calculation of the armed forces at their disposal, and determined to assemble on the night of Sunday the 4th of November in three principal divisions. The first was to meet at Blackwood under the direction of Frost himself. Zephaniah Williams, who kept a beer shop at Colebrook dale, was to lead the men from Nant-y-glo and

the vicinity, while the third contingent of persons from Pontypool and the north western district, fell under the control of William Jones, a watchmaker in that town. The whole body were to unite at Risca by twelve o'clock, and march into Newport at the dead of night. They then proposed to attack the troops, break down the bridge which crosses the Usk, send up signal rockets from the surrounding hills; and it was further agreed with those who were in their counsels in Birmingham, that the non-arrival of the mail within an hour and a half of its customary time should be the token for a general rising in the north, which would end in the proclamation of the charter as the law of the land.

We proceed to relate the issue of these arrangements. On Sunday evening Frost led his followers from Risca down to the Welch Oak, the point of juncture, at the designated hour, and waited there with the men under his orders until the day had broken. When, however, no further aids were found to come in, he gave the word of command, and put his men in motion, and the whole division, in martial order, five abreast, armed some with guns, others with bludgeons, pikes or pickaxes in their hands, to the number of five thousand, moved down through Tredegar park upon Newport.

The best preparations in the meantime that the emergency would permit were made by the mayor, sir Thomas Philips, for the security of the town. Special constables were placed at the three principal inns, and the mayor sat up all night in the Westgate hotel making arrangements, and sending scouts out into the country. It was no sooner ascertained

that the chartists were actually on the march for Newport, than sir T. Philips made application for aid to captain Stack, who commanded a company in the neighbourhood. Thirty men were accordingly sent off under the conduct of lieutenant Grey, who threw themselves into the Westgate inn which stands in the market-place, and was expected to be made the chief point of assault. Two large rooms, one at each end of the building, open on to the street with projecting windows, and communicate with each other by means of a corridor. The eastern apartment was occupied by the military. In the western one were assembled the magistrates with the police, while a body of special constables surrounded the entrance of the hotel.

No sooner had Frost become aware of the arrival of the troops at the Westgate than he advanced upon the town with two divisions, who took separate ways on entering Newport, and united subsequently in the market-place in the front of the inn. The porch was protected by special constables. The insurgents called upon them to surrender: they refused. Upon this reply, the word was given to fire, and a volley was discharged against the bow window of the room where the military were located, at the same time that the rioters by means of pikes and other instruments drove in the door and poured through the hall into the passage. A moment's delay would have ended in a massacre. Orders were given to the soldiers to load: they did so, and fired down the

passage at the same time that lieutenant Gray, with the mayor, who behaved with great gallantry, and sergeant Daly opened each one of the shutters of the window that gave upon the street. A shower of slugs immediately poured in, which took effect upon sir Thomas Philips and several other persons, but the oblique sides of the window enabled the men to open a severe raking discharge upon the mob without, who, after a few rounds of musquetry were put to the rout and fled in all directions: a great many, however, were killed on the spot or severely wounded. Frost himself was not visible after the first discharge, he was however afterwards seen crossing Tredegar park, and was eventually arrested in Newport on the same evening. Zephaniah Williams had arrived at the rendezvous ten minutes too late, while Jones who like him, had a longer march to make, had proceeded no further than Malpas when the news of the disaster at Newport came to his ears, and he disbanded his men and fled. These persons were afterwards taken and indicted with several others for high treason. A special commission was sent down to Monmouth to try the rioters, and sentence of death was recorded against Frost, Jones and Williams, a punishment which was ultimately commuted to transportation for life. For a luminous exposition of the treason law by sir Nicholas Tindal, as well as for the further particulars of the trial, we must refer the reader to the second department of the volume.

CHAPTER XIII.

BRITISH INDIA. *Notice of Affghanistan—Dismemberment of the Kingdom—Principalities of Cabool—Candahar—Peshawur and Herat—Differences between Herat and Persia—Mr. Ellis arrives at Tehran—His account of the Shah's designs upon Herat—Expedition abandoned at Asterabad notwithstanding the remonstrances of the Russian Minister—Lord Durham's application to M. Nesselrode—His Explanations—Politics of the Princes of Candahar and Cabool—Kuzzilbashs—Objects of the Shah in seeking a Russian alliance—He prepares for a new campaign—Negotiations opened without success through Mr. M'Neill—Expedition sets forth—Lord Durham and M. Rodofinikin—Appearance of Captain Vicovich—Proceedings of Dost Mahommed—Persian Envoy at Candahar—Mission of Captain Burnes to Cabool—Proposes an English alliance upon certain conditions—Captain Vicovich in Cabool with letters from the Emperor and Count Simonich—The Shah lays siege to Herat—Great Importance of that Position—Outrages committed upon British servants in Persia—Mr. M'Neill proceeds to the Camp to endeavour to effect an arrangement—Disconcerted by the arrival of Count Simonich—Insincere demeanour of the Shah—Fails to obtain redress—Retires from the Persian Court in consequence—Palmerston's menace—Military preparations in India—Failure of general assault of Herat under the direction of Count Simonich—Gallantry of the Affghans—Lieutenant Pottinger—Indian Government resolves to invade Affghanistan—Remarks in justification of that measure—Siege of Herat raised—Explanations demanded by Lord Palmerston from the Court of St. Petersburg—Count Nesselrode's note—Answer of Lord Palmerston—Second letter of M. Nesselrode—Recall of Count Simonich and M. Vicovich.*

THE forces collected on the northern borders of British India towards the close of 1838, were put in motion for the western frontier at the commencement of the present year, with the appellation of the "Army of the Indus," and the Governor-general set forth

the reasons which had led to so important a proceeding in an elaborate manifesto which will be noticed in its place. In the meanwhile, the papers subsequently presented to parliament have cast a much clearer light upon the antecedents of the momentous events

which have since taken place in Central Asia, and before we relate the issue which awaited the adventurous expedition beyond the barrier waters of the sacred river, we propose to collect from these materials some outline of the complicated negotiations which preceded the declaration of hostilities. Nor will it be out of place to introduce our account with a brief exposition of the domestic relations obtaining between the Affghan princes, at the period when the inimical practices of the western powers attracted forcibly the solicitude of the British government to Cabool.

The kingdom of Affghanistan has been called the land of transition between eastern and western Asia. There is a proverb which says that no one can be king of Hindostan without first becoming the lord of Cabool. All the great routes that lead from Persia to the Indies pass through the region in question, and it has accordingly been made from time out of mind the high road of every conqueror of India. More than two thousand years ago Alexander the Great, after taking Herat, the ancient Aria, led his armies across the plains of Cabool, and so late as 1738, the same historic country was traversed by the hosts of Nadir Shah. Mahmoud the Ghisneh-origite, who in the first millennium of our era carried the religion of Islam into India, and founded a great empire, was sultan of Ghisneh in Affghanistan. In the year 1398, before he drove his conquests to the brink of the Ganges, Tamerlan, the sovereign of Upper Asia, made himself master of Cabool; and Baber, who established in 1520 at Delhi the empire of the Moghuls, began with the sovereignty of the same city. In

the fertile district of neutral ground interposed between the western abutment of the Himalayan mountains, and the desert which lies along its southern borders, has nature apparently deposited the keys of the empire of Asia.

The founder of the Affghan empire, Ahmed Shah, who died in 1773, in accordance, so to speak, with the propension of the nation which he swayed, made several victorious incursions into the east. Timour Shah his son walked in the steps of his father, but the fortune of an Asiatic empire seldom endures beyond the third generation, and the decease of Timour in 1793 delivered over the kingdom to the domestic hostilities of his sons. Therival tribe of the Barukzyes took advantage of these dissensions to precipitate from their sovereignty the descendants of Ahmed Shah, and when sir Alexander Burnes, in 1838, visited Affghanistan, the only portion which remained in the hands of a descendant of the royal sept was the principality of Herat, the rest of the kingdom was cantoned out between the usurping family in the following manner. Dost Mahommed Khan ruled in Cabool; his military force at that time amounted to 9000 horse and 2000 infantry, besides an occasional militia and a park of fourteen guns. The country is by nature strong and mountainous, but intersected by various good roads, and sir Alexander gives a favourable picture of the personal qualities and administrative abilities of the sovereign. Sirdar Sooltan Mahommed Khan, although the sole ruler of Peshawur, shared its revenues with two other brothers, Peer and Sared Mohammed Khan. The mi-

litary strength of this province was unimportant, and the ruler fell far short of his brother of Cabool in capacity. Candahar was governed by Kohun Dil Khan, assisted by Ruhun Dil and Shere Dil, his two brothers. Its ordinary forces consisted of about 9000 horse. The chiefs of Peshawur and Candahar were, until danger from abroad menaced them, at enmity with their brother Dost Mahommed Khan.

The fall of the house of Ahmed Shah, and the subsequent partition of his dominions took place in the following manner: In the year 1809, the reigning prince was driven from the throne of Cabool by his half brother Mahmood, whom about six years before he had himself been instrumental in deposing. Mahmood owed his success to Futteh Khan, the chief of the great family of Barukzyes, and the most powerful of the Affghan nobles. Futteh Khan under the designation of vizier thenceforward governed the kingdom, while the monarch abandoned himself to debauchery. Though he evinced no want of respect or allegiance to Mahmood, the vizier took care to distribute the different governments of his kingdom among his numerous brothers. But if Mahmood felt no reluctance to submit to the ascendancy of his able and powerful minister, it was otherwise with prince Kamran his son. At the instigation of the latter, Futteh Khan was seized at Herat and deprived of his eye sight, and a few months afterwards the unfortunate minister was literally hacked to pieces by the courtiers of Mahmood in the presence of that monarch.

This act, of which the folly equalled the atrocity, drove the all-

powerful brothers of Futteh Khan into rebellion, and Mahmood who had fled to Herat after the murder of his friend and protector, abandoned the throne without a struggle. Although he retained Herat with the title of king, he became in effect a vassal of Persia, and left his dominions for the Barukzye brothers to dispose of at their pleasure.

The eldest survivor of these was Mahommed Azeem Khan, who, in concert with his brothers, determined on recalling Shoojah to the throne, who, after many perilous adventures, had fallen into the hands of Runjeet Sing at Lahore. Shoojah contrived to effect his escape, but the Barukzye family having taken offence at his arrogant treatment of one of their friends, transferred their support to his brother Eyoob, whom they invested with the trappings of royalty, while they retained to themselves the entire power and revenues of the kingdom.

After the death of Futteh Khan, the dismemberment of the Affghan kingdom proceeded rapidly. Runjeet Sing seized some of its finest provinces including Cashmere, and Peshawur itself was reduced to the condition of a vassal city. These reverses shortened the life of Azeem Khan, he died, leaving a son whose rights were disregarded by his powerful uncles, Shere Dil Khan and Dost Mahommed. The former of these chiefs established himself at Candahar as an independent prince, and the latter made himself master of Cabool. Another brother, Sirdar Sooltan Mahommed Khan, became the tributary governor of Peshawur. Meanwhile, Balkh was annexed to the kingdom of Bokhara, and the Aneers of Sindh declared themselves independent. The puppet monarch Eyoob fled to Lahore.

The only province of the kingdom which remained in the hands of a descendant of the royal family was Herat, which holds so conspicuous a place in the transactions of which we shall have to give some account. Prince Kamran, without directly acknowledging the sovereignty of Persia, had been for some years in the practice of rendering an occasional tribute to the Shah as often as the governor of the Persian province of Khorassan was strong enough to extort it, when the successes of the late prince royal Abbas Meerza in his Khorassan campaigns became the means of inducing Kamran to contract still further engagements to the court of Tehran. Abbas Meerza died in 1833. In the autumn of the same year, his father, Futteh Ally Shah, the reigning prince followed him to the grave, and by the assistance of British officers and supplies of money from the English treasury, his grandson, the present Mohammed Shah, was enabled to ascend the throne of Persia.

The prince of Herat, in the meanwhile, not only failed to perform his engagements, the principal of which related to the razing of the fort of Ghorian, on the frontier of Khorassan, the return of certain families to their proper domicile in Persia, and the annual payment of 10,000 tomauns, but he permitted his vizier Yar Mohammed Khan, to pass through Seistan, which he occupied, into Khorassan, and having compelled the chiefs of Khiva and Khafin to pay tribute to Kamran Meerza, to carry away twelve thousand persons and sell them all as slaves.

This default on the part of Kamran furnished the Persian monarch with a pretext for endeavouring to

make himself master of Herat, nor can it be questioned that Mohammed Shah had very real grounds of resentment against the ruler of that city. Accordingly, when Mr. Ellis, in the year 1835, arrived in Persia on a mission of condolence and congratulation, he found the young Shah fully occupied with schemes of military aggrandisement, and more particularly bent upon an expedition into Afghanistan, with the immediate purpose of reducing Herat. The Persian ministers, however, did not conceal from Mr. Ellis that the claims of the Persian monarchy extended in fact as far as Ghieni and Candahar, a pretension derived from a period not more recent than the reign of Nadir Shah.

So long however as the designs of Persia were ostensibly limited to an attack upon Herat, the indefensible conduct of Kamran Meerza, and more particularly the terms of the 9th article of the existing treaty of 1814 with Persia which stipulates "that if war should ensue between the Persian and Afghan governments, the English government shall take no part in it; nor shall it give assistance to either party, except as a mediator, at the solicitation of both parties, for the purpose of producing peace," seemed to make it a matter of difficulty to define the exact limits to which hostilities might be carried against Kamran Meerza, although any ulterior undertakings could not, of course, be beheld with indifference by the British government.

It could, not, nevertheless, be concealed that very serious interests would be put in peril by the approach of the Shah of Persia, either by way of direct conquest, or by the admission of his right of dominion, to the frontiers of India,

nor would any event be more likely to unsettle the public mind in the north-western provinces, and disturb the general tranquillity of our eastern empire. In addition, however, to these considerations, there were other circumstances which went to increase the apprehensions of the British envoy. Mr. Ellis found the Russian influence predominant in the councils of Mahommed Shah, and the power of Russia appeared universally to stand higher in the general opinion than that of Great Britain. The Russian Ambassador, moreover, count Siminich, was urgent upon the Shah to lose no time in setting forth for Herat, and even went so far as to propose to accompany the expedition, and to offer his military services. An additional motive for dispatch was found in the probability that the British government would discourage the attempt, in pursuance of their known desire for the reintegration of the Afghan monarchy.

"The intention," says Mr. Ellis, Jan. 15, 1836, "cannot be mistaken: Herat, once annexed to Persia, may become, according to the commercial treaty, the residence of a Russian consular agent, who would from thence push his researches and his communications avowed and secret, throughout Afghanistan. Indeed, in the present state of the relations between Persia and Russia, it cannot be denied, that the progress of the former in Afghanistan, is tantamount to the advance of the latter, and ought to receive every opposition from the British government that the public faith will permit." And Mr. Ellis observes in the same despatch, that, "since, in such an event, Persia will not or dare not place herself in a condition of close alli-

ance with Great Britain, our policy must be to consider her no longer an outwork for the defence of India, but as the first parallel from which the attack may be commenced or threatened."

Under these impressions, Mr. Ellis, after recalling to their recollection their declaration that the sovereign rights of the Shah extended as far as Ghisni, took an opportunity of signifying to the Persian ministers the extreme displeasure with which the English government would look upon the prosecution of any extended schemes of conquest in Afghanistan: without disputing their "most absolute right to obtain redress from the prince of Herat," he intimated that the British government would be much better pleased if that purpose could be effected by negotiation, and even offered to send a British officer to Herat for the purpose of facilitating the adjustment of the existing differences. To this proposal the Persian ministers at first assented, but it was afterwards evaded, and ended in being rejected altogether.

In the mean time, Uzeez Khan arrived on a mission from Kohundil Khan and his brothers at Candahar, with the object of effecting an alliance offensive and defensive with the Shah, and uniting in the attack upon Kamran. They required, however, an acknowledgment of their independence in the internal administration of their country, and only proposed to submit their foreign relations to the decision of the Shah. Some notion of the prevalent disposition of the Persian court may be gathered from the language which the Candaharee held to Mr. Ellis, and which he must, no doubt, have used before the Shah and his mi-

nisters. Upon the statement of Uzeer Khan, "the whole of Affghanistan, with the exception of Herat, was ready to come under the feudal supremacy of the king of Persia, who might," he observed, "with the aid of the Affghans, like Nadir Shah, push his conquests to Delhi." Mr. Ellis learned, however, from confidential communications, that the chiefs of Candahar had no real disposition to become feudatories of Persia; their only motive in seeking this connection, being to obtain protection from the apprehended aggression of Kamran, and from the growing power of the Seiks, an object which, in fact, they would prefer effecting by means of the British government.

Towards the close of 1835, the chief of Cabool, Dost Mahommed Khan, had also dispatched an agent, Hajee Ibrahim, to the court of Persia, with letters in which he offered to co-operate in an attack upon Herat, and sought in general the protection of the Shah against the Seiks. He dispatched at the same time, a similar messenger to St. Petersburg.

The Shah set forth on his expedition from Tehran, but owing to the appearance of the cholera in Khorassan, and other disadvantageous circumstances, by the 3rd of November, 1836, he had made no further way than Asterabad. But, by this time, his army was reduced by the scarcity of provisions, and the predatory incursions of the Turcomans, to so deplorable a condition, that all hopes of undertaking a winter campaign against Herat were given up, and in spite of the earnest reclamations of the Russian plenipotentiary, the king led back his forces into Persia.

Mr. McNeill, however, who had

in the mean time, succeeded Mr. Ellis, did not fail to make known to the Foreign Office the advice which had been tendered by count Simonich in the late expedition, and Lord Palmerston, in January, 1837, directed the Earl of Durham to inquire of count Nesselrode whether the Russian envoy was acting in accordance with the instructions of his government, in urging the Shah to pursue the campaign in that season against Herat, and adopt a line of policy so much at variance with his real interests. In reply to this application, his excellency stated "that if count Simonich had acted in the manner mentioned by Mr. McNeill he had done what was in direct opposition to his instructions. The count had been distinctly ordered to dissuade the Shah from prosecuting the present war at any time, and in any circumstances." He added that he could not believe but that our minister in Persia was misinformed.

With reference, however, to this suggestion of the Russian secretary, Mr. McNeill distinctly states in his despatch of June 21, 1837, to Viscount Palmerston, that the accuracy of the information upon which he had ventured to state in the last of November, the fact that the Russian minister had urged the Shah to undertake the campaign in winter against Herat, had been fully confirmed by the concurrent testimony of all the Persians with whom he had conversed on the subject, including the prime minister. Singular, indeed, as such a piece of inadvertence may appear on the part of a cabinet usually supposed to be in the receipt of information so accurate as that of St. Petersburg, the truth of the allegations against

count Simonich appears to be quite indisputable, and what is even more remarkable, whatever be the true solution of the fact, the same diplomatic functionary continued for nearly two years subsequently to lord Durham's representation, to promote the very object which as we are told he had been instructed by his government to discourage, with the same assiduity as if the notice of count Nesselrode had never been directed to his demeanour at Tehran.

The prospect of a combination of Russian and Persian influence in Afghanistan could not fail to alarm the government of India, and as the Shah did not appear to have abandoned his designs upon Herat, in consequence of the failure of the late attempt, Mr. McNeill was instructed to inform him that any attempt to prosecute schemes of aggrandisement in Afghanistan must diminish the cordiality which existed between England and Persia. In commenting, however, on the instructions he had received, Mr. McNeill (Feb. 24, 1837), expresses a belief that the Shah was warranted in making war upon Herat, and questions the policy of tendering such a remonstrance unless the government were prepared to follow it up with decisive measures.

It has already been stated, that communications were all this while maintained between the court of Tehran and the chiefs of Cabool and Candahar; the former had also dispatched an agent to St. Petersburg to request assistance against the Seikhs, and count Simonich too, as will appear, took an active part in these transactions also. Under the apprehensions which they had reason to entertain from the growing power of Run-

jeet Singh, there were other causes which concurred to throw the chiefs of Afghanistan upon the protection of Persia and Russia. The most amicable relations had for many years subsisted between the Indian government and the chief of the Punjab who had already contracted an alliance with the Shah Soojah, with the avowed object of restoring him to the throne of Cabool; and the Company had themselves exhibited so much of countenance to the banished prince, as to permit him to find an asylum in Loodiana: nor, indeed, would it appear, that the government had been hitherto at any pains to cultivate the good will of the Affghan princes.

It ought also to be remembered, that the chiefs of Cabool and Candahar were usurpers. They had driven from the throne the descendant of Ahmed Shah, the head of the royal tribe of the Suddozyes which although inferior in power to the Barukzyes, retained a considerable hold upon the prejudices of the Dooraunnees, and still maintained its supremacy in Herat, in the person of Kamran, the nephew of Soojah-ool-Moolk. They could, therefore, look for little support in this quarter. But Dost Mahommed, in particular, was descended by his mother from the Kuzzilbushes, or Persian tribes of hereditary soldiers, planted and left by Nadir Shah in Afghanistan, and formidable from their military talents and superior intelligence. Both these the Barukzye chieftains had naturally allied themselves, and as the Kuzzilbush tribes still spoke the Persian language, and retained the religion and predilections of their original country in the midst of the Affghan population, the princes would almost

involuntarily be drawn into a Persian connection.

This condition of affairs appeared to present to the Shah of Persia, an opportunity of executing his own projects in Afghanistan, and of effecting, in particular, the subjection of Herat. He was, however, unwilling to enter upon a distant enterprise, while there was any ground for the apprehension, that his northern neighbour might take advantage of his absence from his kingdom; and he found, it should seem, an additional motive for cultivating closer relations with that power, in the suggestion that her countenance would render him more secure from opposition on the part of England. With these objects in view, he made it his endeavour to seek an intimate alliance with Russia, and set himself to weaken in the same proportion the good understanding which under his grandfather had uniformly obtained between Great Britain and Persia, being aware that this would be the readiest way to find favour with the court of St. Petersburg, and probably feeling that the courses to which he was now committed must, at any rate, bring him, within no distant period, into collision with the Indian government.

It seems on the other hand to have been part of the policy of the Russian envoy to engage the king of Persia in schemes which would eventually embroil him with Great Britain, in order to make him feel his future interests to be the more inseparably dependent upon Russia. They gradually drew the Persian government into a plan of united opposition to England, which had not hitherto entered into its contemplation, and in furtherance of these concerted pro-

jects, an envoy was despatched by the Persian monarch to Candahar and Cabool with presents and communications from Mahommed Shah, and from the Russian envoy resident at his court.

The king of Persia had not yet completed his preparations for a new campaign, when a messenger came from Herat to the Persian capital, to negotiate an arrangement between Kamran and the Shah. On his arrival he opened communications with Mr. M'Neill, who was requested to take part in the conference.

In the course of the discussions, it became evident to the British minister, that the real matter at issue was the sovereignty of Herat, and regarding it of the utmost importance that the city in question should not become dependant upon Persia, he intimated to the Shah that in the event of such a concession being made, as would have the effect of rendering the relations of Kamran to the Persian king those of a subject to a sovereign, he could not take any further part in the negotiation.

The terms indeed brought by the envoy from Herat, were so very advantageous, that Mr. M'Neill, who had previously admitted the justice of the grounds of quarrel with Kamran Shah, believed the case to be now materially altered, and thought himself warranted in making a stand. He, therefore, very seriously recommended the Persian government to accept the proffered reparation, lest the British government should suspect that Persia in persisting to prosecute the war had other objects in view than those which she avowed; and to remove every ground for mutual distrust, he ventured, on the part of Great Britain, to "en-

gage to get the treaty fulfilled by both parties." The representations of Mr. McNeill were however without effect. The conditions ended in being rejected, and a memorandum commenting upon the terms proposed, which the Persian premier Hajee Meerza Aghassee, communicated to the English ambassador, sufficiently proved that the Shah would acquiesce in nothing short of the actual possession of Herat.

On the 23rd of July 1837, Mohammed Shah put his troops in motion for Herat. Count Simonich notified the fact on the same day to M. Rodofinikin, at St. Petersburg, who communicated the despatch to the British minister resident at that city. Inexplicable as the assertion must appear, when compared with the line of conduct which a reference to the printed papers will leave no doubt that the Russian envoy did actually pursue both before and after the composition of the document in question, the Count declares that he had endeavoured unsuccessfully to dissuade the Shah from undertaking the present expedition, and states that the differences with Kamran might have been terminated by negotiation if the Shah could have been prevailed upon to defer his enterprise until the Autumn.

On the 23rd of July therefore the Shah began his march, but in consequence of a variety of obstructions, on the 14th of October it had advanced no further than Nishapoor, not much above half the distance from the capital to the frontier of Persia on the side nearest to Herat.

We have now to introduce a new character upon the scene in the person of Captain Vicovich,

who seems to have quitted St. Petersburg at about the same time that the despatch we have just referred to was communicated by M. Rodofinikin to Mr. Millbanke. He was directed to accompany the agent of Dost Mohammed Hajee Hoosain Alce, who was returning to Cabool. This officer, however, was taken ill at Moscow, and the Russian emissary proceeded alone, and arrived at the camp at Mishapoor from Tehran on the 10th of October. He then went on to Candahar in his way to Cabool. Colonel Stoddart sent notice of his appearance to Mr. McNeill, who informed Lord Palmerston with reference to this announcement, that Vicovich had everywhere given out that he was sent to intimate the arrival at Asferabad of a large Russian force, to cooperate with the army against Herat; he remarks, in addition, that count Simonich had never on any occasion mentioned the name of this individual, or alluded in any way to the intercourse between Russia and Cabool.

Dost Mohammed had already as we have seen, sent agents to Tehran and St. Petersburg, to procure assistance against the Seikhs. In the following year he applied, with the same intention, to lord Auckland, who had but then arrived in India. The governor finally decided on sending captain Burnes on a commercial mission to Cabool; but owing to negotiations which he had to conclude by the way with the chiefs on the Indus, and other unavoidable delays, that officer did not reach the capital of Dost Mohammed till September 1837. In the mean time, the Persian agent had entered Candahar, and put himself in relation with the court of

Cabool. The effect of these proceedings was to render the reception of captain Burnes less cordial than he had been led to anticipate, and the undisguised tone taken by the envoy of the Shah, who openly proclaimed the superior advantages to be derived from a connection with Persia and Russia, made it advisable for the Indian government to invest its representative with functions of a more political nature than had been originally in contemplation.

These predilections were however in some measure overruled by the apprehension entertained by Dost Mohammed of the aspiring designs of Kohundil Khan, who was, it appears, at this time negotiating a separate treaty with the envoy from the Shah, in order to establish his own supremacy in Afghanistan under the patronage of Persia, and was preparing to send his son Omar Khan to co-operate in the measures before Herat; and since the only ostensible motive of Dost Mohammed in his several overtures was to seek protection against the Seikhs, captain Burnes apprehended, that any arrangement which would set his alarms at rest in that quarter, would at once remove every reasonable pretext for courting a foreign alliance, and he was therefore instructed to tender the good offices of the Indian government towards an adjustment of the existing misunderstandings between Mohammed and the chief of the Punjab; provided, however, that the chief of Cabool would agree not to contract an alliance with any western power without the approval of Great Britain. It can scarcely be questioned, that the concert apparently existing between Russia and Persia, who had refused the

equitable proposals of the chief of Herat, with their intrigues among the Affghan princes, entitled the Indian government to make their offer of aid contingent upon the acceptance of this stipulation.

No better proof could be given of the necessity of taking such precautions than is to be found in a letter which count Simonich transmitted to Dost Mahommed through the agent of the court of Cabool, together with the accompanying epistle of Hajee Ibrahim. "In these papers," says captain Burnes, November 15, 1837, "the Russian ambassador himself commences the correspondence with the chief of Cabool, and tells him, that if the Shah will not assist him, his court is ready to do so." The terms of the short letter of the count, do not amount to more than the expression of a desire that Dost Mohammed would maintain a constant correspondence with him, and a general offer of his good offices; but the document in question receives a much clearer light from the despatch in which the agent communicates these overtures to his sovereign.

"The Shah" says Hajee Ibrahim, "directed me to inform you, that he will shortly send an Elchee, who after meeting you, will proceed to Runjeet Singh, to explain to him on the part of the Shah, that if he will not restore all the Affghan countries to you he must be prepared to receive the Persian army. When the Shah takes Herat, he has promised to send you money and any troops you want.

"The Russian ambassador who is always with the Shah, has sent you a letter which I enclose. The substance of his verbal messages to you is, that if the Shah does everything you want, so much the

better, and if not, the Russian government will furnish you with everything wanting. The object of the Russian Elchee, by his message is to have a road to the English (India), and for this they are very anxious. He is waiting for your answer, and I am sure will serve you."

It was therefore in a state of things so critical, that captain Burnes arrived at Cabool and applied himself with great ability to the execution of his difficult mission. There was at first much apparent probability of success. Upon his representations Dost Mohammed refused to admit the Persian envoy, who was already at Candahar into Cabool, and evinced a desire of detaching Kohundil Khan and his brothers from their present connection. With this object captain Leech was dispatched to Candahar, and the rulers of that city appeared to give an attentive ear to the suggestions of the British emissary, although it is but too evident, that they were in point of fact only playing one interest off against the other, till it might be more manifest whether of the two would eventually preponderate. The possession of Herat being the principal object of the Candaharee brothers, they rested their chief hopes on the predominance of Persia, but as the fate of that city, which occupied at this moment so large a place in the eyes of central Asia, was still undecided, they were not yet prepared for an open rupture with Great Britain.

Captain Vicovich in the meanwhile arrived at Candahar, where he remained a short time, and then proceeded to Cabool. He was furnished with letters from the Emperor himself, as well as from

count Nesselrode and the Russian minister at Tehran. On this occasion, the minister of Kohundil Khan writes thus to the Ameer of Cabool:—"You have now both the English and Russian ambassadors at your court; please to settle matters with any of them who you may think may do some good office hereafter. When this Russian Elchee arrives at Cabool, shew him respect, and it will arouse the mind of Alexander Burnes. His appearance will also incline him to be sharp, and to put off delay in promoting objects."

In a letter enclosed by captain Burnes to the Indian government, Dec. 22, 1837. Count Simonich recommends the Russian emissary to Dost Mahommed in the following terms:—"I hope on his arrival at your court you will treat him with consideration, and trust him with your secrets. I beg you will look upon him like myself, and take his words as if they were from me." Dost Mahommed however, evinced at this time sufficient deference to the wishes of the British government as to seek the previous sanction of captain Burnes before he consented to receive the Russian agent.

That vigilant public servant continues, Dec. 23, 1837, his report to Lord Auckland. Before, however, relating the proceedings of captain Vicovich at Cabool, he communicates upon very respectable authority a statement which had been made by the latter to the Sirdars of Candahar. It was to the effect, "That Russia had full influence in Persia, and that they should assist the Shah, and draw on him for money, and if their drafts were not paid, the Russian government would be responsible for their discharge; but that they

should follow the wishes of Mahommed Shah, if they sought the Emperor's good offices, and on no account ally themselves with the English nation." This declaration, observes captain Burnes, if true, is certainly most explicit. The following narrative of the interview of Vicovich with the Prince of Cabool, was communicated to captain Burnes from two independent parties, and he invites the Governor-general to place full confidence in its authenticity:—"On the evening of the 20th inst. the Ameer received the Persian messenger. On his producing Mahommed Shah's ruckum, the Ameer felt a degree of irritation which he could hardly control, and said in Affghanee, 'That this was an insult to him, and a proof of Mahommed Shah's being guided by advisers; for his master, the Emperor, wrote him a letter, and the subservient Shah of Persia arrogated to himself the right of sending him a ruckum, or order, with his seal on the face of the document.'" The agent was then dismissed, and invited to the Rala Hessar on the following day.

"The communications," proceeds captain Burnes, "which passed on this occasion, have also been made known to me, and are of a startling nature. M. Vicovich informed Dost Mahommed that the Russian government had desired him to state his sincere sympathy with the difficulties under which he laboured; and that it would afford it great pleasure to assist him in repelling the attacks of Rungeet Sing; that it was ready to furnish him with a sum of money for this purpose, and to continue the supply annually, expecting in return, the Ameer's good offices. That it was in its

power to forward the pecuniary assistance as far as Bokhara, with which state it had friendly and commercial relations, but that the Ameer must arrange for its being forwarded into Cabool. This, said the agent, was the principal object of his mission; there were, however, other matters which he would state by and by; and he hoped the Ameer would give him a speedy answer to despatch to St. Petersburg."

In answer to the letter which contains these remarkable disclosures, lord Auckland conveys his approval of the conduct of captain Burnes in sanctioning the admission of the emissary into the presence of the Ameer, and suggests that if he were not already gone from Cabool, the Ameer should be counselled to dismiss him courteously, with a letter of thanks to the Emperor of Russia for his proffered kindness to Cabool traders. His mission should be assumed to have been, as represented, entirely for commercial objects; and no notice needed be taken of the messages with which he may profess to have been charged. "If, however," pursues lord Auckland, the Ameer should, on the other hand, seek to retain the agent, and to enter into any description of political intercourse with him, you will give him distinctly to understand that your mission will retire; that our good offices with the Seikhs will wholly cease, and that, indeed, the act will be considered as a direct breach of friendship with the British government."

The time was evidently come for making an election, and the English representative accordingly pressed for a decision. The agents of the court of St. Petersburg

had, as it had been seen, too openly connected the interests of their government with the proceedings of the Shah, to permit the servants of the crown of Great Britain to look upon the eventual success of the ambitious designs of Persia in any other light than that of an approximation of the influence of a more formidable power to the frontier of British India."

The Persian army arrived at the close of the year upon the frontiers of Affghanistan. A siege of ten days was sufficient to effect the fall of the border fortress of Ghorian, which had been hitherto deemed almost impregnable; and, early in December, 1837, the Shah proceeded to beleaguer Herat. There, however, he was destined to meet with a very different reception; and when, at the beginning of the ensuing month of March, the king still lay before the city of Kamran Shah, without having made upon its walls the slightest impression, Mr. McNeill could not but be even more forcibly struck with the extreme importance of a position which had already, for more than two months, disconcerted, with comparatively few means of defence beyond the elemental advantages of its situation, and the personal prowess of its chivalrous garrison, all the efforts of an army of 40,000 men with 80 pieces of artillery. The extreme fertility, moreover, of the soil which, in spite of the precautions previously taken by the people of Herat, had hitherto sufficed for the maintenance of so numerous a body of troops, made it clear that there was nothing in the nature of the country to retard the progress of an invading army, and offered an additional motive for securing, at any sacrifice, the in-

dependence of so invaluable an outwork. It was moreover very obviously the wiser method to bring the question to an issue upon the threshold of Affghanistan, than to reserve the task of counteracting the practices of Persia for the moment, when the fall of Herat should have opened the whole kingdom far more effectually to her influence. Representations to this effect were made by the British minister both to the Foreign Office and to the Indian government.

Besides the question of Herat, two other transactions of recent occurrence, which had been the subject of earnest but, hitherto, ineffectual remonstrance, and contributed to augment the serious misunderstanding existing between the British mission and the court.

A Syud had, it appears, grossly insulted a gentleman attached to the residency at Bushire. Mr. Gerald, in return, inflicted a beating upon the descendant of the prophet, who affected to be at the point of death. The authorities of the place upon this created a great excitement, and threatened the residency with a general attack from all the faithful, unless the delinquent were given up. This, however, was refused; a subsequent endeavour was made to extort money, and every endeavour used to intimidate the British residents. So the matter stood at the close of 1837.

The second was an outrage of a far graver and more deliberate nature. When Mohammed Khan returned to Herat in July, 1837, Mr. McNeill directed a confidential messenger, or Gholam, to accompany him as far on the road as Meshed, and there wait for the despatches which the envoy was to transmit from Herat. The Gho-

lam, however did not stop in Korassan, but went on with the agent to Herat, where he was detained until the middle of October. He then set out with his letters and presents for Tehran, and had not yet reached Meshed, when a party of Persian horse was sent off from the neighbouring camp at Toorbut, who seized his horses, and carried him back to head quarters. There, in the teeth of the vehement remonstrances of colonel Stoddart, the man was stripped in the face of the whole camp, a letter from lieut. Pottinger was taken from him, he was treated with the most threatening and contumelious language, and put into confinement. Every attempt to obtain redress for this most studied insult had hitherto failed, and it was the intention of Mr. M'Neill, if he should not eventually succeed, to break off all relations with the Persian court.

Mr. M'Neill was accordingly desired by Lord Auckland to proceed to the camp and make one more endeavour to effect a pacific adjustment, and to obtain redress. He therefore quitted Tehran on the 10th of March, and notwithstanding the endeavours of the Persian government to deter him from proceeding, arrived on the 6th of April at Herat. Nothing could be more unpromising than the tendency which affairs had taken. Mr. M'Neill was informed that captain Vicovich was still at Cabool, where the success of his negotiation was only suspended by the still undecided fate of Herat. At Candahar, matters were still more precarious, and the British minister forwarded, April 11, the draft of a treaty which was in actual process of signature between Persia and Kohundil Khan, under

the guarantee of Russia, with the object of uniting Candahar and Herat under a single chief who would be nominally subject to Persia, but in point of fact, the protégée of Russia. This instrument, observed Mr. M'Neill, gave to the latter power authority to interfere directly in the affairs of Candahar, and enabled it to compel Persia to defend it against ourselves or any other aggressive nation. It did not, however, lie in the power of Persia to protect Candahar, nor was there any resource but to put an end to the treaty altogether.

"The question of Herat," observes the same able minister in a letter to lord Auckland, "is the question of all Affghanistan; and if the place should fall without any attempt being made to save it, I feel convinced that the moral influence of the event would have a most prejudicial effect on our national reputation in all these countries; for it is no secret to any one that the British government has been desirous to prevent its fall, while Russia has been solicitous to see it in the hands of Persia. All Central Asia will regard it as a question between the greater powers, whose views are so publicly spoken of, that I did not converse with a villager between Tehran and this place, who did not ask me whether the Russians did not favour and the English oppose the Shah's enterprise against Herat."

By the permission of the Shah, Major Todd was sent into Herat to open communications with the prince, and his vizier who placed in the hands of the British envoy full powers to make an arrangement in their behalf, and Mr. M'Neill eventually went himself into the city, and spent the night with Yarn Mohammed Khan, "one of the

most remarkable men of his age and country" in composing the draft of a treaty, which conceded all the demands of the Persian monarch with the exception of those which went directly to compromise the independence of Herat.

The English representative however, had not quitted the town when the news of the arrival of count Simonich, April 20, in the Persian camp, put an end to any serious hope of an adjustment. Mr. M'Neill waited on the Shah, but the views of the prince were altered. Assuming a more peremptory tone, he declared his intention to prosecute the siege, unless prince Kamran could be induced to acknowledge Herat to be part of the Persian territory, and repair to the camp to attend upon the king. Mr. M'Neill replied that the former concession was more than he was able to procure, with regard to the second however, he could not speak so decidedly. "While I was in the presence of Kamran Shah," said he, "after having urged him to abandon that title, and saw before me the frail old man, and called to mind the dignity of his family, the fame and glory of his ancestors, my feelings had not permitted me even to propose the further humiliation of making a personal submission to his sovereign."

The siege was then resumed under the direction of count Siminich, who furnished supplies for its conduct, together with the aid of an officer of the Etat-Major, and thus, to all appearance, were extinguished the expectations which had begun to be entertained by Mr. M'Neill, who observes, May 15, that if count Siminich had been delayed but for a few days, or had the emissaries from Candahar failed

to arrive at the moment when they did, the belief was very general that the object of his mission might have been effected. Another interview, nevertheless, took place on the 17th inst. The Shah consented to accept the terms presented by England,* and abandon Herat if Mr. M'Neill could furnish him with an honourable pretext for receding. The ambassador replied, that an ample justification would be found in the fear of forfeiting the favour of Great Britain. But although affairs appeared to be in train for a conclusion, in point of fact the ground was only run backwards and forwards, and it was generally found that "whatever the Shah personally in conversation agreed to, the written communi-

* These are contained in the following memorandum:—

1. That the Persian government shall conclude an equitable arrangement with the government of Herat, and shall cease to weaken and disturb these countries.

2. That the Persian government according to the stipulations of the general treaty, shall conclude a commercial treaty with Great Britain, and place the commercial agents of Great Britain on the same footing with the consuls of other powers.

3. That the persons who seized and illtreated Ali Mohammed Bey, a messenger of the British mission shall be punished, and that a firman shall be issued, such as may prevent the recurrence of so flagrant a violation of the laws and customs of nations.

4. That the Persian government shall publicly abandon the pretension it has advanced to a right to seize and punish the Persian servants of the British mission, without reference to the British minister.

5. That the governor of Bushire, who threatened the safety of the British resident there, shall be removed; that the other persons concerned in the transaction shall be punished, and that measures shall be taken to prevent the recurrence of such proceedings.

cations of the ministers invariably rejected." After, therefore, that more than two months had already been consumed in these insincere proceedings, and the armies of the Shah still invested Herat, nor had the English ambassador succeeded in obtaining any satisfaction for the insult which had been offered to his messenger, Mr. M'Neill at length notified to the Persian court his determination to break off all further intercourse, and requesting a mehmendar to conduct himself and his people to the Turkish frontier, set out, on the 7th of June, for Tabriz. Upon reaching Meshed, June 25, he forwarded to the Foreign Office the various papers which had passed between himself and the Persian court, and gave in detail the reasons of the step he had adopted. "What course the Persian government will now pursue I know not; some public act of reparation which will prove to the people of Persia and Central Asia that we are not with impunity to be insulted is in my opinion indispensably necessary—I will not say to restore us to our former position, but to enable us to retain one of any credit or respectability. Both the Persians and Affghans in the Shah's camp saw with amazement the Persian government treating a British mission as a proscribed body, and punishing persons who ventured to hold even a casual intercourse with it; while some of the members of the Russian mission, took to task and threatened to get punished for that offence, persons who occasionally visited my tent, taking some precaution to prevent being discovered. I deeply lament the result of these discussions. I have spent by much the better part of my life in this country, and, during the

whole time, now nearly twenty years, that I have been employed here, I have laboured unremittingly for the good of Persia, and therefore for the improvement of her relations with England. I owed many obligations to the father and grandfather of the Shah, and for himself I have felt that strong attachment which grew out of early intimacy, and the success of the efforts I had often made to promote his interests. But step by step I have been driven to the necessity of adopting the measure I have resorted to. The discussions in which I have been engaged might, no doubt, have been conducted with more skill and ability, but not with a more anxious desire to bring them to a favourable result, and I feel, and I hope your lordship will be of opinion, that I have exhausted all the means at my command to induce the Persian government so to act as to enable me to remain without dishonour."

Mr. M'Neill received at Shahrood lord Palmerston's despatch of the 21st of May, which authorises him to inform the Shah that his designs upon Affghanistan were in complete contravention of the spirit of the alliance subsisting between the two nations, and bid him to expect the cessation of intercourse in the event of such hostile proceedings being persevered in.

The existence of the treaty between Persia and Candahar under the guarantee of Russia was not known to his majesty's government at the time when this letter was written, and lord Palmerston was not then acquainted with the proposal that had been made by the Shah to the Herat government, nor with the circumstances attending the seizure of the messenger, which, after every effort for redress

had been exhausted, had forced the British minister to quit the camp, nor with the language which Mr. M'Neill had already held to the king of Persia, nor with the failure of the negotiations at Candahar and Cabool, nor was he aware that the Indian government had already landed a body of troops at Karrah, and Mr. M'Neill was therefore induced by this accumulation of important considerations, to convey the menace in terms more decided than those which he had been instructed to employ: "I am directed to inform your majesty," writes Mr. M'Neill, that if Herat should have surrendered to your majesty, the British government will consider your continuing to occupy that or any other portion of Afghanistan as an hostile demonstration against England. Your majesty is no doubt informed by the government of Fars, that a body of British troops, and a naval armament consisting of five ships of war, have already arrived in the Persian gulf, and that for the present the troops have been landed in the island of Karrah. The measures your majesty may adopt in consequence of this representation, will decide the future movements and proceedings of that armament; but your majesty must perceive from the view which her majesty's government has taken of the present state of affairs, and from the effect which must have been produced upon the minds of her majesty's ministers and the British authorities in India by the subsequent proceedings of the Persian government, with which they were not then acquainted, that nothing but the immediate adoption of measures to comply with the demands of the British government,

can induce the authorities acting under the orders of that government to suspend the measures that are in progress for the defence of British interests, and the vindication of British honour."

But before this declaration could come to the hands of the Shah, the Persian army after six days of incessant battering, made a general assault upon Herat. Although, however, the troops went forward with great gallantry, and planted their standards three several times upon the breach, they were unable to maintain their position. The Affghans attacked them sword in hand with energy too resolute to be resisted, and drove them with great slaughter across the ditch. The loss of the Persian army amounted to nearly two thousand men, including an unusual proportion of officers of the higher ranks. More than three-fourths were found to have fallen by sabre wounds.

It should be mentioned that the preservation of Herat was owing in a great measure to the distinguished ability of lieutenant Pottinger, who had thwarted all the military efforts of the Russian officers of superior rank who for some months had conducted the siege, and all the intrigues by which the Russian mission sought to sow dissension among the defenders of Herat. The failure, however, of the endeavour to take the town by storm had not the immediate effect of forcing the Shah to raise the siege.

The allusion made in the note which we have just been citing, to measures in progress for the defence of British honour, relate to preparations that were already on foot for marching an army into Afghanistan. No moment, cer-

tainly, could be more critical. Captain Burnes had received his dismissal from Cabool, and lieutenant Leech had quitted Cabool. The treaty between Persia and the latter state had been finally concluded beneath the warrant of the Russian minister. A treaty of nearly similar import was in progress with Cabool; and Captain Vicovich, having visited the Shah's camp at Herat, had returned to the two courts in question, provided with sufficient funds to complete the arrangements which he had so successfully commenced, for the establishment of Persian dominion and Russian supremacy in all the Affghan states. Kohundil Khan was enabled by Russian subsidies to besiege Furrah a dependency of Herat. Dost Mahommed Khan in furtherance of the common objects, commenced a system of hostile intrigues even in India. Persons professing to be Persian emissaries made use of the name of the Shah for similar practices. Letters were addressed by the Shah to the Ameers of Sind, calling upon them to join the league against the English, and captain Vicovich made similar communications to them. "The power of Russia," says a contemporary writer, "her designs against India, and her intimate union with Persia for objects hostile to England were the common subjects of discussion, and the motives of action in all the states of Central Asia. The influence of these circumstances was felt in India, in the mountains of Nepaul and in the marshes of Burmah. All the evils which the most hostile diplomatic agency, backed by the weight and power of Russia, by the moral and religious influence of Persia, and by the sums sup-

plied by the agents of the former power could effect, had been already produced. The whole of the country from the frontiers of Russia on the Araxes, to the banks of the Indus, had been successfully tampered with, and instigated by Russian agents, some openly, and some secretly sent to unite in one great league for the purpose not only of opposing the views and interests of England, but of disturbing and threatening her empire in Asia. A treaty of a hostile tendency had been made under the guarantee of the Russian minister at the Persian court, promises of direct support from Russia herself had been freely made by agents so accredited that no one was entitled to deny the authenticity of their communications. Military enterprises against which the British government had protested, and which it declared in good grounds to be undertaken with views hostile to England, were urged on with unremitting perseverance, and promoted not only by supplies of money, but by the active military exertions of the Russian plenipotentiary with the officers who composed his suite."

It may be added, that if the circumstances which have been here collected are admitted to form a reasonable case for adopting active measures of self-defence, the most defensible country in the whole road from the Russian frontier to the Indus in Affghanistan, nor could a large army approach India by any other than the great road which passes by Candahar between the mountains that form the vale of Affghanistan.*

* Mr. M'Neill writing from Meshed, June 25, makes the following striking

The Shah remained some weeks longer before the walls of Herat, but the failure of the recent assault, together with the debarration of troops at Karrak, and the military preparations which were being made in the north of British India, led him finally to comply with all the demands of the British minister, and abandon his unsuccessful enterprise. The camp broke up on the 9th of September, 1838, and returned to Tehran, about seventy-five days' march.

In the meantime lord Palmerston forwarded, October 26, 1838, to the marquess of Clanricarde, the draft of a note to be presented to

count Nesselrode with the view of eliciting explanations with regard to the conduct pursued by the agents of Russia in the late transactions. The paper in question which is characterised by remarkable firmness and precision, is too long to be inserted here, but its purport may be gathered from the concluding passage. "The British government" says lord Palmerston, "readily admits that Russia is free to pursue with respect to the matters in question whatever course may appear to the cabinet of St. Petersburg most conducive to the interests of Russia; and Great Britain is too conscious of her own strength, and too sensible of the extent and sufficiency of the means which she possesses to defend her own interests in every quarter of the globe, to regard with any serious uneasiness the transactions to which this note relates. But the British government considers itself entitled to ask of the cabinet of St. Petersburg, whether the intentions and the policy of Russia towards Persia and towards Great Britain, are to be deduced from the declarations of count Nesselrode and M. Rodofnikin to the earl of Durham, or from the acts of count Simonich and M. Vicovich; and the British government thinks itself also justified in observing, that if from any cause whatever, the Russian government has subsequently to the month of February and May, 1837, altered the opinions which were then expressed to the earl of Durham; then, and in such case, the system of unreserved reciprocal communication upon Persian affairs, which of late years has been established between the two governments, gave to the British cabinet a good right to expect, that so entire a

statement:—"The country between the frontiers of Persia and India is far more productive than I had imagined it to be; and I can assure your lordship that there is no impediment either from the physical feature of the country or from the deficiency of supplies, to the march of a large army from the frontiers of Georgia to Candahar, or as I believe to the Indus. Count Simonich being lame from a wound, drove his carriage from Tehran to Herat, and could drive it to Candahar; and the Shah's army has now for nearly seven months subsisted almost exclusively on the supplies of the country immediately around Herat and Ghorian, leaving the still more productive districts of Subzer and Fursah untouched. There is, therefore, my lord, no security for India in the nature of the country through which an army would have to pass to invade it from this side, on the contrary, the whole line is peculiarly favourable to such an enterprise. Under such circumstances, it appears to me that it would be a most hazardous policy to allow Persia to act as the pioneer of Russia, and under the protection of the article of the treaty, to break down the main defence of Afghanistan, and thereby make the country untenable to us at a moment when the concert between Persia and Russia in these operations is avowed."

change of policy on the part of Russia, together with the reasons on which it was founded, would have been made known to her majesty's government by the cabinet of St. Petersburg, instead of being left to be inferred from the acts of Russian agents in Persia and Afghanistan."

But count Nesselrode had already, Oct. 20, transmitted a despatch relating to communications verbally made on the same subject by Lord Palmerston to the Russian ambassador, previous to the composition of the note of Oct. 26, which count Pozzo di Borgo was desired to lay before the British cabinet. In this document, the Russian minister very explicitly denies, that the project of disturbing the tranquillity of the British possessions ever presented itself to the mind of his august master. The siege of Herat, he observes, was a measure, which, however justifiable in itself, the Russian government had not ceased to dissuade the Shah from undertaking, in the existing weakness and disorganisation of his kingdom, and he adds that, in the event of Herat being taken, his government had made provision for the integrity of the Afghan territory, by stipulating that the captured city should be attached, not to Persia, but to the principality of Candahar. Such an arrangement he maintains, by putting an end to the internal dissensions of the country, would have rendered it accessible to the commerce and industry of all the nations that are interested in turning to account (*à l'exploitation*), the resources of Central Asia. The competition in question, proceeds M. Nesselrode, was entirely pacific and commercial, and by no means political or hostile. True it was,

that a Russian agent had made his appearance at Cabool, but his mission was occasioned by the arrival of an agent from that city at St. Petersburg for the purpose of forming commercial relations with Russia. Captain Vicovich was charged to ascertain the degree of security which such an enterprise might offer to the Russian merchants, not to effect a commercial treaty, or any political combination whatever. Russia had no other object than to ensure for the produce of her manufactures, a fair competition in the markets of Central Asia. Count Nesselrode then intimates that count Simonich had been recalled, and that colonel Duhamel, who had been destined for that post for the last six months, was now on his way to represent the Czar at Tehran.

The Count observes, in conclusion, that Great Britain like Russia could have but one interest in view—the "maintenance of peace in the centre of Asia, and the independence of the intermediate nations, in order to prevent the possibility of a conflict between the two great powers, which, that they may remain friends, require not to touch each other, and not to come into collision with each other, in the centre of Asia."

With these spontaneous overtures, although it is observable, that the Russian minister did not disavow the Candahar treaty, nor the acts of any of her officers, lord Palmerston, Dec. 20, expressed himself perfectly satisfied. In a conversation subsequently held, however, with lord Clanricarde, Nov. 20, M. Nesselrode acknowledged that count Simonich had acted in a manner of which Great Britain had a right to complain, and that the ambassador had been

recalled, on that account. The protestations of the good will and sincerity of the Russian government, were much more explicitly conveyed in a note, Feb. 21, 1839, from the foreign secretary to the ambassador at the court of St. James's. It was there stated, that, although the emperor approved of the convention between Persia and Candahar, he refused to confirm the engagements therein recorded, because, though purely defensive, they were placed beyond the limits which the emperor had laid down for his policy. The guarantee had

been given without the imperial sanction, and was, therefore, disavowed. Colonel Duhamel had, moreover, been instructed to declare, that his august master was determined to hold none but purely commercial relations with Affghanistan; in accordance with which resolution, he had forthwith recalled captain Vicovich from Candahar, and signified to the Affghan chiefs, that Russia had not intended nor ever would take any part whatever in their family feuds and civil wars.

CHAPTER XIV.

BRITISH INDIA continued—Camp at Simla on the Jumna—Analysis of the Governor General's Declaration of War—Address of Sir H. Fane—Troops proceed to Ferozepoor—Raising of siege of Herat—Effect of that event upon the arrangements for the campaign—Sir H. Fane resigns the command of the expedition, which devolves on Sir John Keane—Interview of Lord Auckland with Runjeet Singh on the Sutledge—Line of march of the two divisions—Course of the Bombay column—Ameers of Sind refuse a passage—Occupation of Hyderabad—and Couratchee—Treaty with the Ameers—Bengal division descends the Indus—Crosses at Bukkur—Whole army assembled at Shikarpore—March through Gundava—Bolam Pass—Intense suffering—Treachery of Khan of Khelat—Quetta—Valley of Pisheen—Character of the country—Flight of Kohun Dil Khan—Triumphal entry and coronation of Shah Soojah at Candahar—Troops recruited—Storming of Ghisneh—Gallant defence of the Affghans—Dispersion of Dost Mohammed's army—He takes refuge in Bokhara—Reduction of the Ghilzees—Storming of Khelat—Return of the army—Mr. M'Naghten to remain at Cabool—Honours conferred on Lord Auckland, Sir John Keane, Mr. M'Naghten, Colonel Pattinger—Aden—Death of Runjeet Singh—Martyrs of Cochin—Deposition of Rajah of Sattarah—Taking of Kurnoul—**JAMAICA.**—Remarks—Recall of Sir Lionel Smith—Succeeded by Sir Charles Metcalfe—Meeting of the House of Assembly—Governor's speech—Committee on the Address—Mr. Dallas's resolutions—Address of the Assembly—Popularity of the Governor—**UPPER CANADA.**—Opening of the session—Speech of Sir G. Arthur—His Remarks upon the late invasion.—Loyal demonstrations occasioned by the outrage—**NEW BRUNSWICK.**—Unanimous vote of the Chamber—**NOVA SCOTIA.**—Resolutions of the Assembly for repelling aggressors—Miscellaneous Addresses on the same Subject—Encouraging prospects—Recall of Sir J. Colborne—Mr. Poulett Thomson made Governor General—Lands at Quebec—His proclamation—Address to Sir J. Colborne on his departure—He is made a Peer—Resolutions of the Special Council with regard to the union of the Provinces—Governor General proceeds to Toronto.

IN the important manifesto on the Jumna, where the Bengal which was published on the division of the army was assembled 11th of October, 1838, at Simla, under the commander-in-chief, Sir

Henry Fane, the Governor General begins by referring to the treaties with the native powers on the Indus in 1832, the objects of which were to open the navigation of that river, and "to gain for the British nation that legitimate influence in Central Asia which such an interchange of benefits would naturally produce." With a view of inviting the aid of the *de facto* rulers of Afghanistan to give effect to these conventions, an agent was dispatched to Cabool in 1836 on a mission of a purely commercial character. In the mean time, however, Dost Mahommed Khan made an unprovoked attack on our "ancient ally" Runjeet Singh, and as it was to be apprehended that he would avenge this aggression, in order to prevent the frustration of our "peaceful and beneficent purposes," Captain Burnes received authority to offer to Dost Mahommed Khan his mediation, which had been accepted by Runjeet Singh.

It subsequently, pursues the document in question, came to the knowledge of the Indian government, that a Persian army had laid siege to Herat; that Persian influence was extending even beyond the Indus, and that the Persian court had commenced a system of injury and insult towards her majesty's mission in Persia, and engaged in designs at variance with the principles and objects of its alliance with Great Britain. Dost Mahommed Khan, relying on Persian encouragement and assistance, virtually rejected the proffered mediation by his unreasonable pretensions, and avowed schemes of ambition injurious to the security of the frontiers of India; he threatened to call in foreign aid, and by his utter disregard of the views and

interests of Great Britain, he compelled our agent to leave Cabool, with the object of his mission unachieved, showing that so long as Cabool remained under his authority, we could never hope, that the tranquillity of our neighbourhood, or the interests of our Indian empire could be preserved. With regard to Persia, it is observed, that the refusal of the just demands of her Majesty's Envoy, and a systematic course of disrespect towards him, induced him to quit the Shah's court, and declare a cessation of intercourse between the two governments, and that the present advance of the Persian arms into Afghanistan, had been represented to the Shah by order of her majesty's government as an act of hostility.

Under these circumstances, and as the chiefs of Candahar had avowed their adherence to Persian policy with a full knowledge of its bearing upon the interests of British India, the governor general felt the importance of taking immediate steps for arresting the rapid progress of foreign aggression towards our own territories, and his attention was naturally drawn to the position and claims of Shah Soojah, who had, when in power, cordially acceded to measures of united resistance against internal enmity; and as the Barukzye chiefs were unfitted, under any circumstances, to be useful allies to Great Britain, or aid us in our necessary measures of national defence, the governor-general felt warranted in espousing the cause of Shah Soojah whose popularity had been proved by the best authorities. A tripartite treaty had, therefore, been concluded between the British government, Runjeet Singh, and Shah

Soojah, whereby the Maharaja of the Seikhs was guaranteed in his present possessions, and bound to co-operate in the restoration of the Shah. A guaranteed independence would be tendered to the Ameers of Scinde, and Herat would be left in possession of its present ruler. It was intended that Shah Soojah should enter Affghanistan surrounded with his own troops, and supported against opposition, foreign or domestic, by a British army, which, when its objects should be completely effected, would withdraw from the Affghan territory. British influence would be used to further every measure of general benefit, and heal the distractions which had so long afflicted the Affghan people, and even those chiefs whose hostile proceedings had been the cause of the measure, would receive a liberal and honourable treatment, on sending an early submission.

In the course of the same month sir Henry Fane published a suitable address to the "army of the Indus," and the whole division received orders to put itself in motion for Ferozepore on the Sutledge, at which place an interview was appointed to take place between lord Auckland and Runjeet Singh, and the commander-in-chief would manœuvre the troops in the presence of the Maharaja.

The news, however, of the raising of the siege of Herat, and the retreat of the Shah of Persia, reached the camp of Simla at this juncture, and modified, in some measure, the intentions of the Indian government. It was determined not to send forward the whole force, a part only being now thought "equal for effecting the future objects in view." The army of the Indus was conse-

quently reduced to what is called a *corps d'armée*, to be commanded, not by Sir H. Fane, who resumed the intention which he had originally formed of returning to England, but by Sir John Keane, the commander-in-chief at Bombay.

In the mean while the projected interview took place between the governor-general and the chief of the Punjaub, surrounded by their respective retinues and armies on the 29th and 30th of November. "The drama of Roopur" observes an eye-witness, "were re-enacted. The glories of the Field of the Cloth of Gold, were presented, on this occasion, to the imaginations of the European spectators, and native eyes were once more gratified with one of those gorgeous spectacles of Oriental magnificence, once habitual to them, but which are now, like their temples and tombs, fading into dreams of the past, under the wand of European retrenchment." The two distinguished personages parted, with every demonstration of mutual goodwill, and the troops commenced their march to the Indus. Sir Alexander Burnes was sent on in advance of the expedition.

The army of invasion might have proceeded more directly through the tributary states by the friendly kingdom of the Punjaub; it had, however, apparently, another object in view, which was to make sure of the course of the Indus. The expedition, therefore, proceeded by two different routes, the Bombay division taking the river at its *embouchure*. This portion of India, it is well known, is occupied by the confederation of the Ameers of Sinde. Several treaties had already been concluded between these princes and

the British government, upon a footing of perfect independence, but as the Ameer refused to permit the British forces to pass in peace through their territory, it was found necessary to effect a passage by forcible means. Their first step was to march upon Hyderabad, which was taken without any effectual resistance. The seizure of the capital was followed by the occupation of Kouratchee, the richest city in Sind, its port being the commercial emporium of Cabool, Lahore, India, Persia, and Belochistan. By these means, the Ameer was brought to contract a fresh treaty with the Indian government, by which they agreed to make an immediate payment of 300,000*l.*, to abolish the tolls on the Indus, to maintain an auxiliary corps of 4 or 5,000 men under the command of British officers, and to pay a tribute amounting to nearly the half of their revenue. From thenceforth, moreover, each Ameer was, for the future, to look upon the English government as his suzerain, and procure his separate recognition at its hands. "In short," says a cotemporary writer, "for all military and political purposes, the lower Sind has become a British province. The Indus may be considered as ceded to us by a special stipulation, which invests our functionaries with the complete domination of its course from Mithuncote to the sea. Even if it be destined to reap nothing more from its enterprize, the expedition will have thrown away neither its time nor its trouble, for from henceforth the Indus is a British stream."

While the Bombay army was occupied in bringing Sind to submission, the Bengal division was descending the left bank of the

Sutledge, to unite with the former corps at Shikarpore, on the confines of Sind and Afghanistan.

At every place, they received the homage of the petty princes of the country, or renewed the existing treaties, until they arrived at Bhawalpoor, upon the Indus, where sir Alexander Burnes had already brought about a treaty with the Ameer, that put the British government in possession of Bukkur, a small island above Kyrpoor, made up of a rock and a fortress which commands the course of the river. There it was, that the army of Bengal constructed a bridge of boats to facilitate the passage; and upon the 14th of February, general Nott, it appears, had the honour of leading the first body of disciplined troops to the opposite bank of this noble river with the sounds of military music.

Towards the beginning of March the whole army, including the contingent of Shah Soojah, which was to form the central division, was assembled at Shikarpore. The fatigues of the long march, together with the assaults of the Beloches, had already made havoc with the ranks of the expedition, and yet was this only the prelude of the trials which awaited them among the mountains. From Gundava to Dadur their sufferings increased. The Beloches who could never be brought to attack them in front, hung upon the flanks and the rear of the army, and swept off the camels and the baggage with the provisions. These marauders were in general well mounted, and carried sometimes a sabre in each hand in addition to their daggers, bucklers, and a gun. One of their means of defence was to inundate the country by damming up the rivers, so that the troops

were forced to march through the water until they came to the dykes. Their progress was also impeded by the dense jungle which they were obliged to clear for their encampments, and the dead camels which they abandoned by the way emitted an odour almost insupportable. The men however proceeded in excellent spirits, and their provisions still held out.

It was in the passage of the defiles of the Bolan that their real hardships began. The march was opened by the column of Bengal. Towards nightfall on the 18th of March they entered the pass. The natives gave them but little annoyance, but the natural difficulties were quite enough to contend with. While the thermometer at Dadur was at 102 Fahrenheit, a hurricane of snow swept over the heads of the soldiers in Bolan, and the way was so encumbered with great fragments of rock, that they were compelled to abandon their tents, together with the greater number of their camels, to the wild robbers that hovered upon their flank day and night. The principal promoter of these outrages was Mehrat Khan, the chief of the strong fortress of Khelat, who instigated the plundering tribes to assault and murder the followers of the army, at the same time that he was negotiating a treaty with the representative of the British government.

On the 26th of March we find the Bengal division at Quetta, about six marches from Candahar, awaiting the arrival of Shah Soojah and Mr. M'Naghten, who traversed the defile with somewhat less inconvenience, the route having already been made more practicable by their predecessors. Towards the middle of April the

whole army was assembled beyond the reach of danger in the valley of Pisheen. They would however appear to have paid dearly for the achievement. The camp followers, who form by far the more numerous portion of an oriental army, had been the first to feel the horrors of famine. They even fought with the dogs for the remains of the beasts abandoned on the road. The soldiers were put upon half rations, and many of the horses sank and died. "A few days more," says a correspondent, "and the whole army would have been completely disorganized. Every letter declares the march of the troops upon Cabool has no parallel but in the retreat of the French army from Moscow. The contingent of Shah Soojah had been reduced from 6000 to 1500 men. How fortunate that we were not attacked in such a situation."

There seems indeed to have been but one opinion that a handful of men would have sufficed to destroy the army in the gorges of the Bolan. The Barukzye Sirdars had indeed made an appeal to the religious fanaticism of the population, and called upon every Mahometan to come and fight with the infidel; but disunion prevailed among themselves, and this circumstance alone was the saving of the expeditionary army, which was thus permitted to arrive without any general encounter in the plains of Candahar.

In these fertile valleys, with a delightful climate, at an elevation of nearly 5000 feet above the sea, the soldiers were at length allowed to rest from their long labours. The commanders of each company were authorized to purchase food and forage wherever they could be procured on the

credit of the government, and provisions came in abundantly to recruit the forces of the men.

No resistance appears to have been offered at Candahar. Kohun Dil Khan had quitted the capital and taken refuge with his brother Dost Mahommed at Cabool. On the 24th of April the Bengal division, with Shah Soojah, and Mr. M'Naghten, made their entry into the imperial city. "As we approached the city," writes the British envoy, "we were joined by troops of horsemen well mounted and well armed, who came to make their submission to his majesty, while the peaceful population testified its joy by acclamations. Tranquillity is restored. Even the friends of the Sirdars, of whom several came to visit me, expressed their satisfaction at the change of government. Hagee Khan Kakur, the most powerful chief of these countries, came with two hundred horsemen to present his respects to the Shah. He was received with honour by his majesty and myself." The aged prince was solemnly crowned on the 8th of May. The army, which was much reduced in numbers, spent several weeks in Candahar for the sake of rest, and in order to get together the requisite provisions. By the end of June numerous convoys entered the city, and the troops set forth on the 27th for Ghisneh. Although the distance is not more than ten days journey, the artillery encountered so many obstacles in its transport, that it was the 21st of July before the forces arrived in front of the fortress. The town was found by sir John Keane to be far stronger than the previous descriptions had led him to anticipate. It was surrounded with a ditch, and a high wall

flanked by towers, and protected by a citadel.

The troops were no sooner come within reach of the cannon than they were received with a well sustained fire; they however carried rapidly the advanced works, and drove the Affghans within the city. The whole of the 22nd was spent in reconnoitring, and making preparations for the assault. The next morning by three o'clock, A. M., the detachments were all at their respective posts, and the guns in position at points which commanded the eastern face as well as the Cabool gate of the fortress. So secretly were these proceedings conducted, that not a single shot had been elicited from the garrison, until they were aroused from their security by a feigned attack made upon the opposite quarter. The storming party, under colonel Dennie, then rushed up to the Cabool gate, when they opened a fire upon the parapets that commanded the entrance, whilst captains Thompson and Peat, with two other officers, attached the bags of powder to the gates. These exploding, burst them open, and before the defenders could recover from their astonishment, colonel Dennie, at the head of the storming party, poured into the town. As at Herat, so here the Affghans still disputed the ground inch by inch, hand to hand, with pistol, dagger, and sabre. The darkness was more favourable to the assailants than to the besieged; every street was strewn with the slain, out of the garrison of 3,500 persons, not fewer than 500 were killed within the walls, and fifty men fell in the defence of a single fortified house. Before sunrise the standard of England was planted on the citadel of Ghisneh. Protec-

tion was immediately granted to the women. On the side of the conquerors the killed and wounded did not amount to 200 men. The son of Dost Mahommed was taken prisoner, and committed to the charge of sir A. Burnes.

The capture of one of the strongest places in Asia made a great impression upon the Affghans. In the belief that the fortress would keep the English for some time in check, Dost Mahommed was proceeding towards the capital with his cavalry and a park of artillery. But when the news arrived his army broke up, and sir J. Keane resumed his march along the rich valley from Ghisneh to Cabool. The fortunate Shah Soojah entered the capital on the 7th of August. Dost Mahommed endeavoured to make head against the invaders, but being deserted by all but the members of his own Baruksye tribe, he abandoned his baggage and artillery, and fled with the remnant of his army beyond the mountains of the Hazareh into Bokhara. In order to follow out the conquest, major Outram was sent into certain disturbed districts between Cabool and Candahar to tranquilize the disaffected Ghilzee tribes who had not yet acknowledged Shah Soojah, and replace the refractory chieftains with newly appointed governors. Nor was the treachery of the Khan of Khe-lat forgotten; General Willschire led a strong detachment against that formidable fortress.

After some fighting in the environs, the besieging party succeeded in blowing open the gate, and made their way into the town, the enemy disputing every foot of ground up to the walls of the inner citadel. The troops, however, succeeded at length in forcing an en-

trance into the last strong hold of the capital of Belochestan. There a desperate defence was made by Mehrat in person, at the head of his people, and the Khan himself with many of his chiefs fell fighting sword in hand. As in the case of Ghisneh, the defences of the fort were found to be much stronger than had been expected. The garrison was upwards of 2000 men.

After leaving a detachment for the protection of Shah Soojah, the main body of the troops returned home. Mr. M'Naghten remained as resident at the court of Cabool.

Her majesty was not slow to reward the services of the more eminent actors in these important transactions. The governor-general was created earl of Auckland. Sir John Keane was made a peer, by the title of baron Keane, of Ghusnee, in Affghanistan. Baronetries were conferred on Mr. M'Naghten and colonel Pottinger.

Such was the issue of the campaign in Affghanistan: whatever political consequences may be supposed to attach to the measure, most men will at least admit, that a very brilliant military exploit has been achieved by the arms of Great Britain.

A successful assault was made on the 19th of January, upon the fortress of Aden, at the mouth of the Red Sea. It appears, that notwithstanding the formal surrender of this important position under the Sultan's seal, with a written promise from the chiefs of the Abdallah tribes, his subjects, when the expedition reached Aden, they were opposed by a body of 1000 men under the Sultan's nephew, who set the force at defiance, and opened a fire upon the ships. The naval part of the armament was then ordered to attack the fortifi-

tations, it was not, however, till the battery was almost knocked to pieces, that the men could be dislodged, and the troops were landed, with but little loss. A desperate resistance, was, however, subsequently made by the Arab prisoners, who refused to deliver up their arms.

The celebrated chief of the Punjaub, Runjeet Singh, died this year at Lahore, on the 27th of June, and "the melancholy intelligence" of the "demise of this faithful and highly valued ally of the British government" was officially announced in a general order from Simla, July 4th. He was succeeded by his son Kurruch Singh.

Sad accounts are given of the persecutions of the Christians in Cochin China and Tonquin. The list of martyrs comprises four European bishops, five European priests, and ten native priests, who had been either beheaded, strangled, or starved to death. The native king is said to have lately invented a new religion.

The issue of the campaign in Afghanistan, had, in all probability, the effect of securing for the time the precarious tranquillity of the north eastern frontier states of Nepaul and Ava. There were, however, very prevalent rumours of disaffection in the Deccan, and the Indian government thought it advisable to depose the existing Rajah of Sattara in that district, and place his brother on the throne. A body of troops was likewise sent against Kurnoul on the northern border of the Carnatic. The Chief, on their approach, withdrew from the city and entrenched himself with about 500 followers within his father's burial ground. The discoveries

said to have been made by the invading force were of a startling character. In this small place they found carefully secreted 500 cannon of various calibre, fifty field-pieces in admirable order, 100,000lbs. of gunpowder, sufficient saltpetre and sulphur for four times as much—all the materials in fact for the equipment of an army of 20,000 men. The Nabob refused to quit the position he had taken. A sharp encounter then took place, in the course of which he was made prisoner, but the greater number of his Rohillahs were left dead on the spot.

The reader is already aware, that in consequence of the resolution of the assembly of JAMAICA to discontinue the exercise of its legislative duties, the chamber was finally prorogued by sir Lionel Smith, at the close of 1838, and a bill was brought into the imperial parliament for suspending the existing constitution of the island, in order to leave room for the government to introduce in the interim certain reforms which could not, it was said, be safely intrusted to the care of the colonial legislature. So great, however, was the opposition created by the unconstitutional severity of the proposed proceedings, that the cabinet were induced to abandon the bill, and retired from office. In a few days, however, they resumed their places, and a second project was shortly after submitted to parliament. The house of lords effected considerable modifications in this measure, and it was eventually determined to continue the functions of the legislative assembly, and leave them an opportunity of retracing their steps, by making proper provision for the administration of the colony under its altered circumstances. It

was obvious, however, that the existing governor, whatever may have been the abstract merits of his administration, had been too deeply committed in the late unhappy dissensions, for him to carry satisfactorily into execution the conciliatory course of policy which the government had concerted to adopt. He therefore quitted Jamaica on the 1st of October, 1839, and was succeeded by sir Charles Metcalfe, who had been lately in the discharge of important functions in our East Indian empire.

The assembly was again called together on the 22nd of October. Mr. Panton was elected speaker, and the new governor then proceeded to address the house in a speech which was characterised by an union of firmness and moderation. "My anxiety," observed sir Charles, "that all past differences should be consigned to oblivion, causes me to advert to them with exceeding reluctance, but I am, on the whole, of opinion, that a frank and unreserved reference to our actual position will be the best mode of discharging my duty towards you on this occasion, and the most likely method of meeting your wishes and expectations.

"I shall have to lay before you an act of the imperial legislature of our mother country, which was deemed unavoidable in consequence of resolutions passed by the house of assembly in the three last sessions of the legislature of this island. I do not think it necessary to call your attention to the particular provisions of that enactment, because I confidently trust that there will be no necessity for carrying them into effect."

Although, continued sir Charles, the assembly were not competent to make laws in contravention of

the general policy established by their sovereign and the imperial parliament for the government of the whole empire of which that island formed a part, he assured them that there existed no desire on the part of her majesty's ministers to interfere with their domestic legislation, and proceeded further to explain that the acts of the British legislature of late years affecting Jamaica and other colonies, had arisen almost wholly from the conviction that the great measure of emancipation, could only be effectually and uniformly accomplished by the interposition of the imperial parliament.

In the session before them, he continued, there would be many matters to occupy their attention. Expiring laws were to be re-enacted with such modifications as the change of circumstances might demand. Old laws, no longer applicable to the present state of things, required to be rescinded or revised, and it would be necessary to make new enactments in accordance with their altered condition. It would be his duty to bring under their notice such measures of this nature as were deemed essential by her majesty's government for the public good, at the same time that it would be a matter of satisfaction if the assembly should of themselves originate independent measures conceived in the same benevolent spirit.

When the speaker had reported the governor's speech, some discussion arose whether the preparation of an answer should be referred to a special committee, or to the committee on the state of the island. On a division, it was carried in favour of the former proposition, and a committee was accordingly appointed.

The house then went into committee on the state of the island in consequence of a motion of which Mr. Dallas had given notice, for the purpose, he said, of submitting certain resolutions which they were, in his opinion, bound to record to their ministers, respecting what had passed last session, before they went further into business. He then proceeded to move four resolutions to the following effect: 1. That the several attempts which had been made by the government of Great Britain to violate the privileges which the assembly had enjoyed under the constitution of the colony, conformed in 1661, had taught the house that it was its bounden duty to watch with scrupulous jealousy every proceeding of the British government in relation to the colony of Jamaica. 2. That the circumstances attendant on the introduction of this prisons act into parliament, together with the conduct pursued by sir Lionel Smith towards the house with regard to it left them no grounds for doubting that the British government had come to the pre-determination of totally destroying the legislative rights of the colony. 3. That in coming to the resolutions of the 2nd November, 1838, the assembly had in view no other object than that of preserving inviolate its rights and privileges, and of obtaining redress from ministers for the wanton and arbitrary attack which had been committed on the constitution of the island by passing the prisons act. 4. That the decision of parliament in the recent attempts made by her majesty's ministers to destroy the free constitution of the colony, afforded the strongest ground for reliance on the protection of parliament, and that its wisdom and justice

would be interposed to resist the policy hitherto pursued by them towards Jamaica. The address was drawn up and passed on the 25th of October.

The answer of the colonial legislature was conveyed in very temperate language. After expressing their readiness to furnish the usual supplies, and acknowledging the unreserved, though considerate manner in which the governor had alluded to their present relations, they go on to vindicate themselves from the charge of having exhibited any wanton opposition to the measures of the imperial government, and advert in the following terms to the existing condition of the island:—

“We cannot but view with the most serious alarm the rapid decline which is taking place in sugar cultivation from a want of necessary labour. Nor are our apprehensions lessened by a consideration of the difficulty of applying to this evil any direct legislative remedy; but, with a better definition, and more correct understanding of the rights of master and servant, landlord and tenant, and a more simple and ready mode of enforcing those rights between parties, we would indulge in the hope, that the cultivation of this great staple, upon which the future prosperity and welfare of the labouring population themselves so much depend, may still be successfully continued. Other productions of minor importance may be introduced into the island; but the immense amount of capital invested in the sugar factory establishments once destroyed, would be with difficulty replaced.

“Our best attention shall be directed to such alterations in the laws, and to such measures as the

changed state of society renders necessary, and any documents your excellency may be pleased to send down to the house shall have our most mature consideration."

His excellency replied in a similar spirit. Several addresses were presented from other quarters, and according to subsequent accounts, a very excellent understanding existed between sir Charles Metcalfe and all classes of the colony, the result, it was believed, in a great measure, of his frank and conciliatory demeanour.

UPPER CANADA.—No sooner had internal tranquillity been restored to Upper Canada, and the security of its frontier established after the late outrageous invasion from the borders of the United States, than sir George Arthur proceeded to convene the provincial parliament on the 27th of February at Toronto, after a recess of unusual duration. The more prominent topics of the speech of the lieutenant-governor, were naturally those which related to the expulsion of the invaders, and the signal gallantry displayed by the militia and other inhabitants of the province. "As the crisis drew nearer," said sir G. Arthur, adverting to the late transactions, "strangers, without ostensible business, and under various pretences, were discovered to be scattered through the province. It was ascertained, that constant intercourse was kept up between the lodges of conspirators in the United States and their adherents in Canada. The hopes of the disaffected appeared suddenly to revive. The intelligence from various quarters conveyed to this government became more definite, showing the immediate intention of the enemy to be

the destruction of the British steam boats, and the simultaneous surprise of several posts within the Canadian boundaries where the disloyal might rally round the invaders assembled in arms, and procure reinforcements and supplies from the United States, without the risk of any collision with the American authorities. An insurrection in the lower province was to be the signal for hostilities all along the line.

"He had however foreseen the event and was prepared at all points for it; and however deeply he must lament the personal sufferings and privations which the measures so promptly taken had imposed upon the loyal and gallant defenders of the province, there was no little satisfaction in the reflection that these noble sacrifices had gone to exhibit in a striking light the moral character of the people of Upper Canada, and awakened a spirit which would long survive the passing events, and greatly contribute to the future strength and tranquillity of the country.

"After all the preparations" he continued, "that were so many months in progress, and after the expenditure of such large sums of money voluntarily contributed, as are generally given reluctantly even for national objects, the conspirators and revolutionists were so entirely overawed as to have limited their operations to one attack upon our frontier, near Prescott, and to another in the vicinity of Sandwich. Not a subject of her majesty joined them after their landing; in both attempts they were signally defeated, and the result was the destruction or capture of nearly the whole of the banditti."

The lieutenant-governor then proceeded to draw the attention of the assembly to the improvements required in the existing militia laws, and urged upon their consideration the claims of the British subjects who had suffered serious loss in the affairs of Sandwich and Prescott, and the burning of the Thames steamer. They were also informed of her majesty's gracious intention to extend the same liberality to the wounded officers and men of the provincial militia that was granted to the regular forces, a similar provision would also be made for the widows of those who had fallen in battle.

The remaining subjects were the questions of general education, and the much contested matter of the clergy reserves. With regard to the latter, sir G. Arthur expressed a hope that they would endeavour to find some expedient which would satisfy religious persons of all persuasions, or else re-invest the lands in the hands of the crown, and refer the appropriation of them to the imperial parliament as a tribunal more free from those local influences which had too powerful an operation in Upper Canada.

The address of the assembly was framed in a corresponding tone. Indeed the effect of these aggressions of the borderers of Michigan and New York, was to call forth in a very signal manner all the sounder feelings of the North American colonies.

The house of assembly of New BRUNSWICK requested the governor to transmit to sir J. Colborne the sum of 1000*l.* to be applied to the relief of such of their loyal fellow subjects as had been sufferers from the late inroads of brigands from the United States.

"I cannot refrain," says sir John Harvey, "from adding, that this, the first vote of supply of the present session was carried not only without a single dissentient voice, but literally by acclamations, the whole house rising and cheering upon the occasion."

Animated by the same loyal feelings, the assembly of NOVA SCOTIA unanimously passed resolutions for embodying volunteers and draft companies of militia amounting to 8000 men. They moreover very generously authorised the expenditure of 100,000*l.* if it should be required, to repel the aggressions on the sister province. When the vote was passed, the entire assembly arose and gave three cheers for the colony which had been invaded, and three cheers more for her majesty queen Victoria. Large subscriptions were also made, and forwarded to the governor-general by the lieutenant-governor sir Colin Campbell.

A similar expression of feeling was elicited from the legislature of the neighbouring island of Bermuda.

Besides the formal resolutions of the several legislative assemblies, the same sentiments formed the subject of numerous addresses which were presented through sir J. Colborne to her majesty by various towns and townships of the North American colonies. Demonstrations so unanimous, permit us to hope that the charge of disaffection which, by certain parties, has been so unscrupulously laid upon the people of our north western possessions, has but little real applicability to the greater portion at least of the British population in those dependencies.

In our notice of the changes that were effected in the ministry

at the close of the session, we have already the nomination of Mr. Poulett Thomson to succeed sir John Colborne as governor-general of British North America. Mr. Thomson anchored at Quebec on the 17th of October, accompanied by sir Richard Jackson, commander of the forces. On his disembarkation he issued a proclamation. After declaring the powers with which he was invested, and announcing his intention of consulting in every manner for the happiness and tranquillity of the colonies entrusted to his charge; the governor-general observes with regard to Lower Canada, that the suspension of the constitution in that state, placed in the hands of the executive government powers of an extraordinary nature, the necessity was deeply deplored, and could only be justified by the circumstances of the province. One principal object of his mission would be to determine in what manner, and at what time, this state of things might most safely be brought to a close, and the full benefit of British institutions be restored to her Majesty's Lower Canadian subjects. He then goes on to compliment the inhabitants of Upper Canada for their loyal behaviour, and indicates the necessity of taking measures to remedy the financial derangements, and develop the resources of the province.

In the meanwhile, sir John Colborne was preparing to take his departure from the provinces in which he had rendered services so signal to the crown. A very flattering address was presented to him by the inhabitants of Montreal, and on the 19th of October he embarked at that city for Eng-

land, where he was raised to the peerage by the title of Baron Colborne.

The special council adopted a series of resolutions which we have subjoined below, in favour of the union of the two provinces, by a majority of 11 to 4. The governor-general then took his departure for Toronto towards the end of November.*

"Resolved, 1. That under existing circumstances, in order to provide adequately for the peace and tranquillity and the good constitutional and efficient government of the provinces of Upper and Lower Canada, the re-union of these provinces under one Legislature, in the opinion of this council, has become of indispensable and urgent necessity.

"2. That the declared determination of her majesty, conveyed in her gracious message to Parliament, to re-unite the provinces of Upper and Lower Canada, is in accordance with the opinion entertained by this council, and receives their humble and ready acquiescence.

"3. That among the principal enactments which, in the opinion of this council, ought to make part of the imperial act for re-uniting the provinces, it is expedient and desirable that a suitable civil list should be provided for securing the independence of the judges, and maintaining the executive government in the exercise of its necessary and indispensable functions.

"4. That regard being had to the nature of the public debt of Upper Canada, and the object for which principally it was contracted,—namely, the improvement of internal communication, alike useful and beneficial for both Provinces,—it would be just and reasonable, in the opinion of this council, that such part of the said debt as has been contracted for this object, and not for defraying expenses of a local nature, should be chargeable on the revenue of both provinces.

"5. That the adjustment and settlement of the terms of the re-union of the two provinces may, in the opinion of this council, with all confidence be submitted to the wisdom and justice of the imperial parliament, under the full

assurance that provisions of the nature of those already mentioned, as well as such others as the measure of re-union may require, will receive due consideration.

"6. That in the opinion of this council it is most expedient, with a view to the security of her majesty's North American provinces, and the speedy cessation of the enormous expense now

incurred by the parent state for the defence of Upper and Lower Canada, that the present temporary legislation of this province should, as soon as practicable, be succeeded by a permanent legislature, in which the people of these two provinces may be adequately represented and their constitutional rights exercised and maintained."

CHAPTER XV.

FRANCE—General remarks—Opening of the Session—King's Speech—M. Dupin elected President—Debate on the Address in the Peers—Paragraph relating to Ancona—Address voted—Official Censure of the Bishop of Clermont—Committee of Deputies for drawing up the Address—Party motions in Paris—Hostile Declaration of M. Dupin—News of the Capitulation of St. Juan d' Ulloa—Debate on the Address in C. of Deputies—General discussion—M. Guizot—M. Thiers—Amendment of M. Amilhau—First section carried—Second portion postponed—M. Lanier's amendment on third paragraph carried—Ministerial Amendment of the fourth—Fifth paragraph rejected—sixth, seventh, and eighth, adopted without opposition—Latter section of M. Amilhau—Modified amendment rejected—Rejection of the second paragraph of the original Address—Remaining Clauses passed without a division—Ministerial majority on the ensemble of the amended Address—State of parties at the close of the twelve days' discussion—Resignation of the Molé Administration.

WE have already alluded in our preceding volume to the pretext which had combined into a temporary concert of so questionable a nature the parties that severally acknowledge the direction of M. Thiers, M. Guizot, and M. Odillon Barrot. The useful maxim that the king can do no wrong, was expounded into the more explicit formulary, "*Le roi regne et ne gouverne pas*;" and the object for which the confederation were content to make so considerable a sacrifice of their consistency, was called "*gouvernement parlementaire*." In our own country, it is needless to observe, the composition of any administration, and the tenour of the national policy depends in the last resort

upon the complexion of the permanent majority of the house of commons, and the minister who can reckon upon the countenance of this branch of the legislature, may take his course without fear of being materially traversed by the influence of the crown. It is only on those occasions when the two great parties that share the confidence of the country are almost at an equipoise, and exhibit at the same time a considerable approximation upon the more important questions that much room is left for the monarch to embarrass any line of policy which may not meet with his approbation.

It is not, however, easy to discover the precise result which these gentlemen had in their common

contemplation, when the present combination should have achieved its immediate purpose. M. Molé indeed, and his colleague, M. de Montalivet, were believed to be more personally acceptable to Louis Philippe, than the chiefs of the other sections of the chamber of deputies, a distinction which they may be supposed, in some measure, to have owed to the greater deference which they might concede to the political predilections of the king; but one is unwilling to believe that a man so right-minded as M. Guizot, would concur for any personal considerations to overthrow an administration, in a country where the presence of any continuous government is a blessing more to be hoped for than expected, or lend himself to a co-operation with parties who have little in common with his own aristocratic principles, when it requires some delicacy of language, to define the nuances which separate his opinions from those which have been exemplified in the public conduct of the comte Molé, if it be not after all, a diversity of language alone. A provisional union like that which we have been describing, might, no doubt, effect the dissolution of the existing cabinet, but what advantage could the oracle of the *Doctrinaires*, consistently, we mean, with the maintenance of his political honesty, expect to receive from the league with the *centre gauche*, so soon as the condition of their temporary union should have been removed?

Not content with their liberal salaries and sumptuous hotels, the leaders of the French parties complain, that these advantages do not ensure any of the more essential attributes of government. These, they say, have been appropriated

by the unconstitutional dexterity of the king of the French. In point of fact, however, the influence attaching to the permanent position of the sovereign, can scarcely fail to preponderate over the selfish and incoherent constituents of the transitory cabinets of France. And, in the case in question, the ascendancy which is perhaps too readily referred to a system of unwarrantable management, will probably be found to be no more than the authority which a wise and able man, who has also the advantage of being far more in earnest than the men whom he must call to his councils, will always make to be felt under any circumstances which place him in contact with less experienced persons, though these would probably be the last to whom such a solution would occur. It may be added, that a system of governments so ephemeral as to derive their denomination from the day of the month in which they were called into existence, can scarcely permit the servants of the crown to acquire any of those more solid qualifications, which a longer conversance with official life alone can give, nor will foreign courts be inclined to treat with the same deference the representations of a minister whose power is only likely to be commensurate with the course of the current session. The strength of the king lies in the ineffectual action of the parties which neutralize each other, for it cannot be supposed that any degree of personal address could enable a monarch who has apparently failed to acquire the personal attachment of his people, and commands neither the *prestige* of hereditary tenure, nor the interposed support of an aristocracy, to make

head against the expression of the popular will collected in an united parliament.

This inordinate ambition to make their own opinions stand out in their full proportions on every trifling occasion, where it does not proceed from more sordid motives, is apt to wear, in the eyes of English politicians, the appearance at least, of an integrity, in the gravity of the circumstances, so over scrupulous, that it is not easily distinguished from the susceptibility of an exorbitant self-love; and the demeanour of parties on the present occasion, leaves some ground for the apprehension, that these manifold political denominations will continue to indulge their unpatriotic differences in a sufficient degree, to render the existence of any stable and efficient administration a matter almost of

impossibility, at the same time that it presents but little security, that the aggregate of repellent particulars may not be brought for the moment into mischievous unanimity, upon any course which their own ill-regulated passions, or the clamour of a most excitable populace may force upon them. But the method of conducting a government upon simply argumentative principles, without the aid of habit, prescription, or any effectual religious sanctions, is a problem which the French people have apparently selected for their especial solution.

The session of 1839 was opened on the 17th of December, by the king in person. We give below, in a note, at full length, the speech delivered on this occasion by his majesty to the assembled peers and deputies.*

* "Gentlemen Peers and Deputies, "Since your last session the prosperity of France has continued to increase. The repose which she enjoyed is daily more and more confirmed.

"It is pleasing to me to find myself once more in the midst of you, and to have to call for your aid, only to concur in still further ameliorating a state of things already so favourable.

"My relations with foreign powers are as satisfactory. France occupies the rank that belongs to her in the esteem of her allies, and in that of the whole world.

"The conferences have been resumed in London on the affairs of Holland and Belgium. I have no doubt that they will have a speedy and pacific issue in giving to the independence of Belgium and to the repose of Europe a new guarantee.

"In Italy the Austrian troops have quitted the Roman states. In conformity with the convention made with the Holy See our troops have evacuated Ancona. Thus military occupation has ceased in states in the independence of which France was interested in a high degree.

"Spain is still the prey of the same distractions, and of the same evils. We continue to execute with our allies all the clauses of the treaty of the quadruple alliance. The government of the queen regent has not ceased to receive from us not only the usual succour which treaties exact, but all the support which the interest of France permits us to bestow.

"I hope our differences with Mexico and the Argentine Republic are drawing to a close. Fresh naval forces, which lately sailed from our harbours, are at this moment before Vera Cruz and will obtain from the Mexican government the justice and protection which our trade so long claimed.

"In Africa, gentlemen, perseverance in our sacrifices has found its recompense. The returns which will be placed under your eyes, will prove to you that your confidence in the views of my government has not been deceived. Peace has not there been interrupted for near a year; our position acquires strength, and improves every day. In the provinces of Constantine and Algiers, operations directed with skill and prudence have annexed to our

On the 19th the chamber of deputies proceeded to the election of a president, an event to which much interest was attached in the existing state of parties. The candidate supported by the coalition was M. Passy. More than 350 members were present, and all the ministers who were deputies, were at their posts. Count Molé continued to stand during the ballot in the hemicycle at the foot of the tribune, and shook hands with his friends as they came in. There too were M. M. Guizot, Thiers, Odillon Barrot, Mauguin, Passy, Berryer, and other chiefs of the coalition, surrounded by their numerous colleagues, and the conversation throughout the hall were exceedingly loud and animated.

Two ballots were taken, before

any member could obtain the requisite majority over the aggregate of the votes received by the remaining candidates, a third gave at length the following result:—

M. Dupin 183; M. Passy 178; Votes lost 4.

M. Dupin was accordingly declared president by a balance of five. The announcement is said to have been received by the defeated party with shouts of derision. The organs of the coalition hailed the event as a virtual triumph.

In the chamber of peers, on the 20th of December, count Portalis rose to read the draught of the address in reply to the speech from the throne. This, as usual, was little more than a reiteration of the words with which Louis Phillippe had opened the chamber, but it gave

establishments portions of territory necessary for our security and prosperity. The natives everywhere respect the authority of France, and submit without hesitation to a regular and equitable administration. The creation of an episcopal see at Algiers is an additional pledge of the stability of our possessions.

"Our financial situation is becoming daily more prosperous. The progressive and constant increase of the public revenue shows the happy development of national wealth, and the welfare enjoyed by all classes of the population. Some branches of industry, it is true, are suffering, and demand all the attention of my government. Measures relative to the situation of our colonies, and to the wants of our navigation, will be submitted to you at the commencement of your labours.

"You will also have to examine different projects of law, having for their object to satisfy the wish of the charter, to improve the general legislation of the country, and to introduce ameliorations into the different branches of public administration.

"Gentlemen, my heart is still moved by the testimony I received from all

parts of France on the occasion of an event which fulfilled all my wishes. The birth of the count of Paris was the greatest consolation that heaven could send me.

"My grandson will be brought up as his father has been, in the respect of our institutions, and in that devotedness to France of which my family will not cease to give him the example. It has been my wish that a solemn ceremony should assemble you round his cradle, and that religion should bless in your presence a child who belongs entirely to this country.

"Gentlemen, the flourishing condition of our country, on which I congratulated myself with you, is due to the constant support the Chambers have granted me during the last eight years, and to the perfect accord subsisting between the great powers of the state. Let us not forget, that in that lies our strength. May that accord become daily more complete and unalterable! May the action of our institutions, at once free and regular, prove to the world that constitutional monarchy is compatible and may unite with the blessings of liberty the stability which constitutes the power of states."

[2 A 2]

rise to an interesting discussion upon the whole foreign and domestic policy of France. The most remarkable speech in the debate, was that in which count Molé replied to the animadversions made by the duc de Broglie on the recent evacuation of Ancona by the French garrison which had so long and in so anomalous a manner occupied that place.

The president of the council began by recalling the circumstances which had led to the occupation of that fortress by the French. In 1831, an insurrection having taken place in the marches and legations, an Austrian force entered the Roman states in compliance with an application from the Papal government. A protest was, however, entered by France against this proceeding, and it was agreed at "an officious, and finally not an official conference" held in Rome between the representatives of the great powers, that the Pope should introduce certain reforms into the financial and judicial institutions of the country, and when these alterations had been effected, the Austrian troops retired. Instead, however, of propitiating the Roman people, these concessions provoked a new revolt, and a corps composed of "organized banditti" was placed at the disposal of the cardinal Albano for its suppression. This unfortunately had no other effect than to render the insurrection general, and the Pope was again obliged to call in the Austrians. These circumstances suggested to M. Casimir Perier the expediency of averting all danger of the permanent occupation of the Roman states by Austria. He therefore proposed to the representatives of the great powers at that time in Paris, as well as to

the court of Rome, that a French force should be put in possession of Ancona. After much hesitation the proposition was acceded to, the Pope observing that he acquiesced in the measure only because he was not able to resist it. Ancona was accordingly occupied by an expedition of 1500 men. A convention was then concluded by the French Ambassador in Rome with the Papal government, which provided that the number of the garrison should never be increased, and precluded the French from undertaking any military works calculated for the defence or retention of the fortress, and it was further enacted, that so soon as by the irritation of the Roman government the Austrian troops should be withdrawn from the papal territory, the French garrison should also retire from Ancona by sea.

Count Molé proceeded to recapitulate several minor clauses of the convention, and selected various passages from despatches subsequently written by marshal Soult and the duc de Broglie to show that during their respective tenures of office, the evacuation of Ancona on conditions precisely the same with those upon which it had been lately effected was in contemplation. The expedition had not been undertaken for the purpose of revolutionizing Italy, but to prevent the second occupation of the Austrians from becoming perpetual; the city had never ceased to be the property of the holy see, nor had the French ever substituted their own for the papal flag, and all the grounds for interference having been at length removed nothing remained for France but to recall her forces from the citadel.

The able speech of the president of the council is said to have produced a great effect, and was considered to have been not only a triumphant reply to the attack of the duc de Broglie, but also, to use the expression of the journals, to have "*enfonce la doctrine*." The latter gentleman offered a few words in reply, and was succeeded by M. Villemain, who complained that the cabinet had terminated all the important affairs of the country—Hayti, Algiers, Ancona and Belgium, by the simple method of abandoning them.

In the result the whole address was adopted by a majority of 102 to 14.*

In the mean time, the chamber of deputies had elected the committee consisting of ten persons for drawing up the address. The partisans of the coalition preponderated in this body, which included among its members, M.M. Guizot, Passy, Thiers, and Duvergier de Hauranne. The president was M. Dupin. Some time elapsed before the draught was completed, for the president of the council, and the minister of the interior, whose presence had been requested, were all the week under the necessity of defending their conduct in the chamber of peers, and the

committee were apparently unwilling to conclude their labours in the absence of explanations.

These gentlemen, however, visited the committee, on the 30th inst., and M. Etienne was afterwards appointed, by a majority of seven, to report on the address of the chamber of deputies.

If we are to place any reliance upon contemporary accounts, the French capital exhibited at this juncture an activity of intrigue, which offers a singular contrast to the more regulated motions of party warfare in our own country. We are tempted to transfer from the columns of a Parisian journal a passage conveying assertions, which, however inaccurate, are not the less a curious characteristic of the state of political relations which can give any colour for the constant and reciprocal employment of similar inculpatations.

"Several journals," observes this newspaper, "are speaking of the seductions to which members of the *centre gauche* and *centre droit*, who have voted with the opposition, are exposed to, on the part of the ministry. Places have been offered, but it is not said whether they have been accepted. We are disposed to believe, that these attempts are confined for the moment to personal applications of the kind, which bad governments are in the custom of practising. Thus the ministers who used to receive once a week, now, counting, no doubt, on the influence of good dinners, keep open table every day. Deputies get invited to the chateau, where they are exposed to the most pressing attentions. All this is not very dignified, but it is customary, and it is not worth while to complain of it." Such a paragraph could only

* In the course of the discussion some severe strictures were made by M. M. Cousin and Villemain on the recent conduct of a prelate of the Roman Catholic church, the bishop of Clermont, in refusing to allow count Montlosier to be interred according to the rites of the church. The ministers did not defend the bishop's proceeding, and shortly after, a paragraph appeared in the *Moniteur* stating that the council of state regarded it as an "abuse of power," a declaration which seems to have given much dissatisfaction to the religious party.

find its parallel in the terms in which a candidate is accustomed to convey his reprobation of the manoeuvres of a competitor in a contested election.

The draught of the address was read on the 4th of January in the *Salle des Conférences*, by M. Etienne, the reporter, and carried, without any amendment, by a majority of six to three. Immediately after the voting of the paragraphs, M. Dupin, who as president, had not deemed it his duty to take any part in the deliberations, took occasion to pronounce his defection from the government, in a declaration to the following effect :—

“ I am unwilling,” said the hon. member, “ to have it supposed that I am endeavouring to envelope myself in a crafty inviolability, and I have, therefore, put upon paper my opinion with regard to the address, which I will now read to you. I have always been of opinion, that the actual administration was insufficient, and at one time, I did all in my power to obtain a modification of it, which I considered to be necessary; but what was once practicable, is no longer so at the present moment, and, in my opinion, the cabinet is henceforth impossible—impossible, because it does not sufficiently cover the throne with its responsibility; because it is not equal to the difficulties of the situation of affairs; and because it is not capable of forming a majority in a chamber divided into two equal portions.”

On the following day, the address was read in the chamber of deputies, and the reader will collect from the passages which we have annexed in a note, that the draught was sufficiently indicative

of the sentiments of the opposition.*

* Sire—The Chamber of Deputies congratulates itself with your majesty on the prosperity of the country—that prosperity must develop itself more and more in the enjoyment of that peace which we have maintained, and of which a prudent and firm policy can alone insure the duration. Under a government jealous of our dignity, and acting as a faithful guardian of our alliances, France shall always hold in the world and in the estimation of nations, the rank which belongs to her, and from which she does not mean to descend.

“ Your majesty hopes, that the conferences resumed in London, will give new pledges to the repose of Europe, and to the independence of Belgium. We make sincere vows for a people to whom we are allied by the conformity of principles and interests. The Chamber will await the issue of the negotiations.

“ You announce to us, Sire, that in virtue of engagements taken with the Holy See, our troops have quitted Ancona. We have given signal testimonies of our respect for treaties, but we regret that this evacuation did not occur under more auspicious circumstances, and with the securities that a wise and provident policy should have stipulated.

“ A dissent manifested itself between your government and Switzerland. We wish it may not have altered the relations of old friendship which united the two countries, and which had been drawn still closer by the political events of 1830.

“ It is with profound grief we behold Spain wasting herself in the horrors of civil war. We hope ardently that the government of your majesty, in continuing to afford the cause of queen Isabel II. the support becoming the interests of France, will employ, in concert with its allies, all its influence to put an end to such deplorable excesses.

“ The chamber, deeply affected by the misfortunes of Poland, repeats its constant wishes on behalf of a people whose ancient nationality is placed under the protection of treaties.

“ Outrages and spoliation suffered by our countrymen in Mexico, demanded a signal satisfaction. Your government was obliged to require it. The chamber

The cabinet, however, derived some encouragement from the news which arrived at this juncture so opportunely to them, that the celebrated fortress of St. Jean d'Ulloa, which commands the entrance of the harbour of Vera Cruz, had capitulated on the 27th of November to the squadron under the direction of admiral Baudin.

The debate on the address was opened on the 7th in the lower chamber by M. Liadères, who characterised the document as "respectfully violent, and academically revolutionary."

M. Guizot, who rose after him,

trusts that it will have adopted, in order to obtain it, prompt and decisive measures.

"We congratulate ourselves with your majesty on the satisfactory state of our African possessions. We firmly hope, that their situation will daily improve, thanks to the discipline of the army, to the regularity of the administration, and to the beneficial action of an enlightened religion.

"Your majesty had announced to us, in one of the former sessions, that propositions relative to the reimbursements of the public debt should be presented to us as soon as the state of the finances would permit; the situation, every day more favourable, of the public revenues, gives us a right to hope, that your Government will ere long concur in this important measure.

"The wants of our colonies and navigation shall be the object of all our solicitude. We will sedulously endeavour to reconcile them with the interests of our agriculture, of which the development is of so high an importance to the prosperity of the country.

"The chamber will examine with the same care the bills destined to realize the promises of the charter, and to introduce new improvements into the general legislation as well as in the different branches of public administration; we also wish, that the project of law relative to the organization of the general staff of the army be submitted to our deliberations."

would not admit that he had made any sacrifice of principle in forming the coalition for the mere sake of combatting a bad administration. There was nothing new in this position. Under the Restoration he had been placed with his friends in a similar situation; if they then made common cause with the opposition it was to obtain the reality of a constitutional government, and they had succeeded, in maintaining, at the price of a revolution, the rights and the dignity of their country.

The ministry he went on to insist were acting without a system, under no common banner, and, engaged in continual fluctuations, had cast every branch of the government—nay even the chamber itself, into ultimate anarchy. After supporting the cabinet through one of the most difficult phases the revolution of July had to traverse, what requital, said M. Guizot, had they made to himself and to his friends? The chamber was dissolved, and in the electoral colleges, instead of countenance, the candidates of his party had been met with every sort of ministerial opposition, and thwarted by the most ignoble practices, although they entertained no other purpose than to defend legal order, without any the slightest admixture of personal ambition.

The charges brought with so great animosity against the administration were repelled by count Molé. It was necessary, said the noble peer, to take into view the situation of affairs at the moment that he undertook the direction of them. At that period considerable uneasiness pervaded the public mind, and apprehensions were entertained for the safety of the monarch. No sooner was the

amnesty published than the ministers were accused of making concessions to the disaffected, a proceeding upon which it was contended the greatest public evils would ensue. This prediction, it was almost superfluous to observe, had not been verified. What, however, was most afflicting in the present inculpations was, that one, who like M. Guizot, had rendered services so eminent to his country, should permit himself to be made the instrument of their production. Deeply was it to be lamented that so eminent a person, abandoning his ancient principles should stretch forth the hand to his eternal enemies. If the worst species of depravation was, as Cicero said, the corruption of the mind, what was the country now to do, when she beheld the most illustrious persons—men who had been chiefs, desert to the party most inimical to her welfare, and ranging themselves under that standard, receive and caress opinions which they had spent their lives in combating? M. Molé then ventured upon the assertion that France had enjoyed beneath his government more happiness than during any other portion of the eight years which had elapsed since the revolution—*(The Opposition broke in upon the speaker with shouts of laughter.)*

The reply of the president of the council was the occasion of a very elaborate speech from M. Thiers. The chamber, said he, would remember that he had remained silent during nearly the whole of the preceding session. On the Spanish question alone his lips were opened, and even then, for no other reason than because his honour was more or less involved in the discussion. But, continued M. Thiers, to maintain that si-

lence at the present crisis would be to betray his deep conviction, and fail in the performance of a most sacred duty. It was very well, said the hon. deputy, to allude to the present tranquillity of the country, and to deduce from it complacent considerations, but the men against whom that observation was directed, had held office in very different times, and had never shrunk at the aspect of them. At the period of which he then was speaking, there was real peril to be apprehended, the cannon roared in the streets; but the ministers of those days did not on that account repose on the pillow of an alleged conciliatory policy, nor were all those who were now so eager to advocate the cause of order, to be found at that moment among its defenders. The charge of intrigue and ambition, which had been brought against himself and his adherents, he repelled with indignation. He too could tell of ambition of another order than that with which they stood accused—a griping base ambition which was always tormenting the government, and by the incessant pertinacity of its solicitations never left it one moment of leisure or independence to conduct with advantage the affairs of the country. The men imbued with that species of ambition he knew well; official life gave him an intimate acquaintance with such persons, and the desire of participating in the administration of the country, with which in common with his associates he was taunted, might well bear a comparison with the aspirations of men like these. M. Thiers went on to declare his opinion of the general system of the present ministry. "My conviction," said M. Thiers "was, that the system

which consists in adjourning every question of difficulty, in receding when impediments offer, or postponing the attempt to subdue them till another day, and closing the eyes upon the gravity of our situation instead of fearlessly looking the danger in the face in order to meet and overcome it, such a policy could not fail, and at no remote period, to accumulate around the country, not merely faults and errors, but even real dangers. I was convinced," said the hon. member, "that a government without frankness, without a decided system, without a choice between the parties that always divide this chamber, could not long continue to maintain itself by mere management, nor was it less apparent that a foreign policy which consisted at one time of abandoning Spain, at another of neglecting England, and when England proposed to embark in a common undertaking, which might have cemented the union of the countries, replied to our ally that she was too active, too hasty, desirous of undertaking too much at once—such a policy I knew well could not fail to cool down that friendship. I could not but apprehend that the questions which were lying dormant by our side, sooner or later would start up before us, and compel us to approach them with fewer alliances with less support in Europe. Placed in the presence of so great embarrassments, I was aware that with the reputation we had acquired, timidity could only enfeeble or expose us to misfortunes, I felt that those who had allowed themselves to go the length of proposing laws of 'disjunction' and 'non-revelation,' in their foreign policy also could not fail to founder, and among their many

concessions, would make some fraught with serious disadvantage to the empire; and the case, in fact, of Ancona has only proved too well the truth of these anticipations." No system, continued M. Thiers, "founded upon flattery, upon cajolery, upon management, upon leaning alternately to the right hand and to the left, and denouncing one party to the other, can hope to prosper long, it must eventually concentrate every hand against it. These difficulties, he proceeded, I foresaw, and now they have actually presented themselves. Already have you abandoned Spain, and Italy, still perhaps the additional misfortune awaits you of deserting Belgium; and yet, after all these sacrifices, you are obliged to tell the chamber that the question of peace or war will be decided by the vote on the address. Language like this has not been heard for years within these walls, and I for one rejoice that I do not belong to a cabinet which is under the necessity of threatening the country with war, or soothing it with pacific expectations, according to the nature of a vote to be given on a parliamentary question."

On the following day, M. Martin du Nord denounced the coalition as "something absolutely frightful." When it was remembered that the parties composing it had been accustomed to act against each other with the most envenomed hostility. "Does the chamber recollect" enquired the minister of commerce, "what passed in a former session? M. Guizot said to one of the most influential members of the *côté gauche*, 'I have known you (M. Odillon Barrot), these forty years, you are the old revolution personified with all its errors;' and I,

replied the other, 'have known you these twenty years, you are the hypocritical counter-revolution of the restoration.' A third party denounced with his eloquent voice, 'the cynicism of apostacies.' "

Upon this M. Garnier Pagés rose, and said to M. Martin, "I used that expression certainly, but it was to you that I applied it." Without, however, noticing the last interruption, the minister of commerce proceeded to observe, that those three men now formed part of the coalition, and he trusted it would be discomfited.

M. Duvergier de Hauranne maintained the opposite argument in an animated speech. He was interrupted several times by the ministerial deputies, and at length by count Molé himself, who designated the discourse as *un mauvais pamphlet*. Cries of "Chair," ensued, and M. Dupin was obliged to call the president of the council to order.

A very able oration was delivered by M. Odillon Barrot, who endeavoured to recall the discussion from the personal course into which it had been directed. Finding that ministers remained silent, after M. Barrot had concluded, the opposition declined proceeding further with their invectives upon the system of the government, and the general discussion was therefore, closed.

On the following afternoon, began the debate on the several clauses of the address. M. Amilhau, who was loudly called for by the deputies of the centre, moved as an amendment to the first two clauses, a passage which we give in a note.* Before he could

enter into the development of his motion, the hon. member was obliged by repeated cries of question to leave the tribune. His place was immediately occupied by M. Berville, who was, however, in his turn obliged to retire. Another attempt was made by the former gentleman, but it was quite in vain, and only after much perseverance, that M. Dubois could deliver a few words of expostulation. M. Amilhau, in the mean time, continuing to demand a hearing in dumb show, amid the deafening uproar, while the president made the most ineffectual attempt to preserve order.

M. Amilhau at length succeeded in saying, that his amendment referred not only to the cabinet of the 15th of April, but to every one of the administrations which had succeeded each other for the last eight years. This was followed by laughter, and cries of "Every one comes in for his share," "your amendment is useless," we have only to do with the cabinet of the 15th of April," "we know all that." The universal din was, however, too much for the hon. member, he made way for M. Sauzet, who maintained that the spirit of the address was a respectful and confident appeal to the sovereign on the subject of ministerial responsibility—(*Enough, enough.*) Yes,

prosperity of the country. That prosperity has necessarily increased with the peace which France owes to your majesty's government, and to the regular co-operation of all the powers of the state.

"Under this government, jealous of our dignity, and the faithful guardian of our alliances, France still holds in the world, and in the esteem of nations, the rank which belongs to her, and which she cannot forfeit."

* "Sire—The chamber of deputies congratulates itself with you on the

he exclaimed, a confident appeal, for on the day after the revolution the monarch had said "The charter shall henceforth be a reality." (*Prolongued laughter from the centre.*)

M. Thiers.—"It seems certain that hon. deputies have no longer faith in the charter!"

M. Sauzet proceeded, "The object of the amendment is to compel the chamber to declare that it approves of the conduct of the present government in every point, that it finds the working of the representative government regular, and that it continues its support to the present administration." From the centre—"To be sure!" "we have heard enough." From the left—"we understand you."

M. Sauzet.—"Then you admit that the amendment has been framed with a view to confiscate the entire address to the advantage of ministers?" Replies both in the affirmative and negative were made by the centre. "This is tantamount," cried M. Sauzet, "to voting the previous question on the entire address." "Yes, yes, enough." "Yes," continued the hon. deputy, "This amendment is an implicit approbation of the foreign and domestic policy of the cabinet. There will, no doubt, be a material vote on the other paragraphs, but the chamber will have entered into a moral engagement with itself—(*Question*). For the discussion to be serious it must be complete—(*Cries of question from the centre.*) The foreign policy of the cabinet has yet to be discussed—(*Renewed clamour from the centre.*) It is dangerous to arrive at the consequence without discussing the principles." The voice of the hon. member was here effectually drowned. Loud cries of

question were uttered by the centre, and of ballot by the left. The president observed, "Twenty members have called for a ballot, I shall proceed to have the names called over. The chamber demanded that the two paragraphs of the amendment should be put separately. The first clause was then read. M. Guizot rose to say, that the committee on the address rejected the amendment as expressing a fallacy—(*Enough, enough, from the centre.*) M. Guizot stood with folded arms awaiting silence.—"Enough, enough," cried the clamorous centre." "Go on, go on," shouted the left. "The amendment," said he, "expresses adhesion to the policy of the cabinet. The intention of the committee was very different, the committee rejects the amendment."

The ballot then took place upon the first paragraph, with the following result. For the amendment 216; against it 209: majority for the ministers 7. The sitting was then adjourned amid great tumult.

M. Amilheu, on the following day observed, that as the latter portion of his amendment involved important questions of external policy, it was desirable that the several articles relative to foreign affairs should be first debated before the concluding section was put to the vote. This proposal was acquiesced in, and the next article which related to Belgium was then read.

"The chamber awaits the issue of the negotiations" were, it will be remembered, the concluding words of the paragraph. Into these M. Lasnier, the first speaker, moved that the words "with confidence" should be inserted. Several deputies succeeded, but their

voices were drowned in the noise of private conversations till M. Mauguin ascended the tribune.

"Have we," exclaimed the hon. member, "been weighed down by the disaster of Waterloo so completely that we can no longer raise our heads? Oh no! The absolutist powers know well what we are able to achieve. Take courage, M. Molé, for you have nothing to apprehend," the apostrophe excited some laughter,) "it is by abandoning Belgium that you will light up the conflagration that you so much stand in fear of. You can know little of the French people, if you imagine that the population will not rise *en masse*, and fly with our indignant regiments to the aid of our Belgian brethren.

The warlike tirade of M. Mauguin is represented as having produced a considerable effect upon the chamber, and a short interval of silence ensued.

The president of the council then entered the tribune. He observed, that in order to appreciate the Belgian treaty it was necessary to remember that the revolution in which it originated, had directly violated the treaty of Vienna, and converted into a power friendly to France the kingdom of the Netherlands, which had been formed in order to weigh upon its frontier. Much, therefore, was in fact effected, when the recognition of the *statu quo* was obtained from the powers that signed the treaty of Vienna, for it was necessary to come to an understanding with Europe, under pain of entering completely into the system of M. Mauguin, and attempting to spread French influence throughout Europe at the point of the sword. Count Molé concluded his speech

by expressing a desire for explanations from the committee with regard to their amendment.

This application brought forward M. Thiers, who maintained that the great fault, in his opinion, of the existing ministry, was its excessive love for peace, and for the material prosperity of the country; and by this it was rendered less imposing in the eyes of Europe. In consequence of this hesitation, the cabinet had been obliged to adopt a language calculated to satisfy neither Belgium nor her adversaries. This was the secret of the vagueness of the paragraph adopted by the committee, which for that reason rejected the proposed amendment.

The president of the council replied, that it was not to be supposed that, because they had adhered to the treaty, ministers had abandoned Belgium? They had defended her interests, but they could not effect impossibilities. The treaty of the twenty-four articles had always been the foundation of the Belgian question, and it was in the name of that treaty that marshal Gérard had summoned general Chassé to evacuate the citadel of Antwerp. This basis, on which all the negotiations had turned, had been established not so much by the conference as by the necessity of the case. When the cabinet, said M. Molé, should be at liberty to lay before the chambers the documents connected with the negotiations, it would be seen that the government had thought in the first place of France and of the peace of Europe, but they had never neglected the welfare of Belgium, which was so closely connected with the general European question. No one arose to

answer the president of the council. A ballot was then demanded, and the result of that operation was a majority of four in favour of M. Lami's amendment.

The president proposed, on the 12th of January, the paragraph relating to the evacuation of Ancona. The three members of the minority of the committee of the address, MM. de Jussieu, la Pinsonniere, and Debelleyne, proposed to replace this section by the following:

"You announce to us, sire, that the Austrian troops have left the Romagna, and that ours have quitted Ancona. France, after hastening by her presence the cessation of foreign intervention in the states of the Holy See, whose independence interests us in so high a degree, has given a new pledge of her respect for treaties, and of the loyalty which becomes a great nation."

M. Duchâtel, who followed, accused the count Molé of want of courtesy, in refusing to communicate to the committee on the address, the official documents relating to the occupation and evacuation of Ancona.

A discussion then took place with regard to the military value of Ancona. Marshal Clausel declared that an enemy of 100,000 men would not recover what France had lost by abandoning that key of Italy. On the other hand, it was maintained by M. Lami that the post was one of the worst in the Peninsula, it was commanded, he said, on every side by high hills, and could not have held out a week before the Austrian armies. General Bugeaud concurred in this estimation.

M. Thiers, who followed, went into a most minute description of

the works of fortification in Ancona, which would go to prove that he had a better knowledge of the place than generals Lami and Bugeaud.

Count Molé made answer, that in this instance, as in the Belgic question, respect for treaties had guided his resolution, and he quoted despatches written by his predecessors in office, all of whom, with the sole exception of M. Thiers, conceived themselves bound by the convention entered into with the Holy See, to recal the French garrison the moment when the Austrians should have evacuated the legations. A despatch which he read from the Duc de Broglie, bearing date April 20, 1833, proved that the duke entertained the same opinions with himself. M. Molé then produced, and proceeded to enlarge upon the rather ambiguous instructions which had been forwarded by M. Thiers to the French ambassador at Rome, a few days after he took possession of the foreign department in 1836.

The division was adjourned till the 14th inst., when the debate was resumed, and the ministerial amendment was carried by a majority of 228 to 199, a success, which was chiefly owing to the support of the legitimists on the particular question.

The succeeding morning found the chamber of deputies engaged upon the paragraph bearing reference to the Swiss question, to which, it may be remembered no allusion had been made in the king's speech. The chamber divided upon the question that the paragraph remain part of the address, when there were—for, 208; against, 221: majority for ministers 13.

The succeeding sections, which

referred to Spain, Poland, and Mexico, were adopted on Wednesday, the next day, without opposition, in consequence, it was said, of the desire felt by the ministers to avoid a discussion upon the several subjects involved in them. The second paragraph of M. Amilhau's amendment, which conveyed a summary judgment in favour of the whole foreign policy of the government, and was postponed, as the reader will remember, till the particular clauses of the address had been severally examined, was then read by the president to the chamber.

M. Amilhau had, however, modified the amendment which he now presented to the house. By substituting for the words "*France continues to hold*," the sentence "*France shall always hold*," he imparted to the proposition a perspective signification. The question, in the opinion of the honourable deputy, had been so victoriously decided in favour of the administration, by the adoption of the preceding amendment, that his own motion was rendered useless, and ought to be accepted without further debate.

Such, however, was not apparently the disposition of the assembly. M. Garnier Pagés gave his support to the original paragraph of the address, although he was no member of the coalition, and had little faith in the sincerity of the conversion of the leading men who were parties to it. M. Cunin Gridaine defended the amendment. He was answered by M. Piscatory. The minister of finance, M. Lacave Laplagne, replied at some length to the imputations of the latter gentleman; and M. Berryer then addressed the chamber. Divesting himself of all

appearance of the spirit of the party of which he is the acknowledged head, he denounced, in concurrence with the other branches of the coalition, in forcible terms the general system of foreign policy pursued by the administration.

The most remarkable trait of the remaining discussion on this day was perhaps a passage in the speech of M. Thiers, to which subsequent events may be thought to give some interest. He insisted that the alliance of England, "which he had laboured to form or strengthen as one necessary to be opposed to the coalition of the northern powers," had been loosened or shaken by the trimming conduct of the present ministry. "Six years ago," added he, "we found England, firm, bold, generous; if she be now selfish, it is we who set her the example. England saw that she ought to have more faithful, or more courageous friends in the hour of danger or none; she therefore assumed the task of acting alone in extricating herself from the embarrassments in which the system of the actual government had involved her." When M. Thiers concluded, the chamber divided upon the amendment of M. Amilhau: there were 210 votes for it, and against it 219; the ministers were therefore defeated by 9.

M. Amilhau's modification having been rejected, the discussion was taken, the next day, on the second paragraph of the original address. M. C. Gridaine spoke against it. M. Vivien was in favour of the amendment. M. Molé observed, that the chamber had successively given its approbation to the policy of the government by its vote on the clauses relating to Belgium, Ancona, and Switzerland. Three

other clauses had been voted without opposition, and in rejecting M. Amilhau's amendment, the assembly, he said, had pronounced, not against the policy of the cabinet, but simply against the modification desired by that gentleman. How then, he demanded, was it possible for the chamber to pronounce against a general system of policy, to all the details of which they had given an unqualified assent?

M. Thiers maintained, that it was perfectly intelligible that the chamber should refuse to censure various isolated acts of the cabinet, at the same time that it felt compelled to blame the general tendency of its measures.

M. de Lamartine spoke on the ministerial side. After a few words from M. Dufaure a division ensued, when 213 voted for the paragraph, and 220 against it, leaving a majority for the ministers of 7.

The eighth paragraph related to the French possessions in Africa. In the course of the discussion, general Bugeaud took occasion to defend himself from various charges of peculation in that province which had been made by the press.

M. Isambert laid the principal stress upon the concluding sentence, which expresses a hope of a favourable result from "the beneficent action of an enlightened religion." The honourable deputy declared his entire disapproval of the recent appointment of a bishop at Algiers, and inveighed against the daily encroachment of the *parti prêtre*.

On the following day the minister of justice explained, that the government had been placed under the necessity of abandoning its African possessions to the congre-

gations, or establishing a bishoprick, and the latter alternative had prevailed. The paragraph was then adopted. When the succeeding clause was read, which conveyed a hope that the government would turn its attention to the reimbursement of the public debt, the minister of finance took occasion to lay before the chamber a brief sketch of the financial situation of the country.* The paragraph was adopted without opposition. The 11th, 12th, and 13th

* He observed that every branch of the public revenue had been constantly improving, which he regarded as an evident and certain symptom of the public prosperity. Notwithstanding that public gaming-houses and the lottery had been suppressed—notwithstanding that the tax on home-made sugar had not been included in the return, and that, so far from an augmentation of the tariffs many of them had been diminished, and especially the tariff of the navigation dues, the produce of the indirect taxes for the last twenty months had exceeded that of the indirect taxes for the previous 20 months by upwards of 83,000,000. After stating that result, he might be allowed to say that the present ministry, inefficient as it had been called, might retire without regret, and reflect even with a feeling of pride on the period of its continuation in office. (Movement.) The silence of the crown on the question of the 5 per cents. he considered justifiable, on the ground that, although the first condition indispensable for the accomplishment of the operation undoubtedly existed, the question was not yet ripe for a complete solution. He likewise remarked that the bank, though it had bills in hand to the amount of 40,000,000 more than at any former period, was probably not in a situation to afford the government the necessary support in executing the operation at this moment, all its resources being devoted to the commercial interests. He would conclude, however, by frankly stating, that the accumulation of capital now in the sinking-fund would shortly render a reduction of the 5 per cents. a matter of inevitable necessity.

clauses met with a similar reception. An additional paragraph proposed by the committee was likewise unanimously accepted:—"Why, sire, at the moment when our thanksgivings are offered up, are we called upon to deplore with you the loss of a beloved daughter, the model of every virtue! May the expression of the feelings of the entire chamber be some alleviation of the sorrows of your august family." The allusion referred to the young and highly endowed duchess Marie of Wurtemberg who had but a few days before expired at Pisa of pulmonary consumption. The mortal remains of the lamented lady were brought home into France, and deposited at Dreux, the burial place of the house of Orleans.

In the meantime this unprecedented discussion was drawing to a close, when the chamber again assembled, M. Debelleyne took exception at the wording of the concluding paragraph. The expression "restrained within their constitutional limits" conveyed, in his opinion, a direct accusation against the sovereign, and it was for that reason that he now moved the suppression of the offensive words, and the modification of other passages of the article. M. de Lamartine supported this view of the subject. M. Thiers, however, undertook to prove, by summing up the frequent defeats it had sustained that the government was not a parliamentary one. After a few words from M. Guizot and count Molé the chamber divided on the amendment, which was carried in favour of ministers by a majority of 9.

The last division was then taken upon the *ensemble* of the address, which corresponds with the question in the British parliament that

the bill do pass, when there were—
For the question 221; Against it 208: Majority for ministers 13.

The debate which had been maintained for no less than twelve days with such unexampled pertinacity, came at length to this somewhat unexpected issue on the 19th of January. The important summary of a rather unmanageable subject, which we have perhaps with too great prolixity presented to the reader, will scarcely enable him to appreciate the distinguished ability with which the comte Molé contended single handed against the confederate talent of nearly the entire chamber. No doubt, however, he possessed in the superior truth of his position elemental advantages which in themselves went far to counterbalance the brilliant parts of the men who filled the ranks of the motley coalition; and indeed it may be feared, that far from founding a permanent parliamentary opposition, the coalescing parties have only shaken irrecoverably the slender reliance which men might still repose on the stability of political characters in France, by the public scandal of so desperate and unscrupulous an union. The principal object, in the meanwhile, of the coalition, which was to render the ministry independent of the crown, although none of the confederate deputies during the whole twelve days of the memorable struggle had openly ventured to avow it, might so far be said to have been defeated. The ministers remained masters of the field, but their triumph was neither a signal nor a conclusive one. The address was far from being a mere echo of the king's speech, for not only did it differ in some points from the royal programme, but it

contained also new matter whose introduction the cabinet disapproved, though it had not resisted.

It was, therefore, by no means certain that count Molé would venture to carry on the government in the face of so formidable an

opposition, and when, eventually, the *Moniteur* announced on the 22nd of February that the whole of the ministers had placed their resignations in the hands of the crown, few people in Paris were unprepared for the notification.

CHAPTER XVI.

FRANCE continued.—Ineffectual attempt to form a Cabinet—Ministers return to Office—Dissolution of Chambers—Remarks in the *Moniteur*—Domestic state of France—Riot at La Rochelle—Savings' Banks—M. d'Argout's report on the Bank of France—Revenue returns—Preparation for the Elections—M. Guizot's letter—Pamphlet of M. Cormerin—Result of Elections—Ministers resign—Prorogation of Chambers—Provisional Cabinet—Opening of the Session—M. Passy elected President—The *Doctrinaires*—Appointment of the Vice-Presidents—Questions of M. Mauguin—Explanations of M. M. Dupin, Thiers, Guizot, Passy, Teste, De Lamartine, Bugeaud, Odillon Barrot and Cunin Gridaine, with regard to the share taken by them in the negotiations of the last six weeks—Ministerial crisis—M. Passy's projected Cabinet—Its fate—Apathy of the Country—Policy imputed to the King—Impatience of the Chambers—M. Mauguin's motion for an Address to the Crown—Insurrection of the 12th of May—Proceedings of the rioters—Measures adopted by the Authorities—New Ministry appointed under Marshal Soult—Trial of the Insurgents before the Court of Peers—Armand Barbes condemned to death—Commutation of sentence—Result of debate on the Staff Bill—Extraordinary grant for the Marine—Supplies voted *en masse*—Close of the Session—Renewal of war in Algiers.

ON the resignation of the cabinet of count Molé the king proceeded to put himself in communication with marshal Soult, the only public man who had not been compromised in the great struggle which was just concluded. When, however, after a week spent in protracted negotiations there appeared but little immediate prospect of an arrangement in this quarter, the ministry of the 15th of April resumed their plans and determined on making a final ap-

peal to the country, by dissolving the chambers which were appointed to meet again on the 26th of March.

The domestic situation of the country wore at this time an aspect of some uneasiness. The incessant agitation of political questions had the effect of aggravating in a great measure the severity of a commercial crisis which was among the most calamitous that the mercantile interests of France had for some time undergone,

while the distress and discontent occasioned by the failure of the harvest of 1838, had driven the poorer classes in several districts into acts of open insubordination. On one occasion the population of Rochelle, with numbers of the neighbouring peasants, attacked and captured the waggons which were proceeding from the country into the town laden with corn for embarkation to America, and the riots which ensued were of so serious a nature that the government was induced to issue an ordinance prohibiting the exportation of grain from any of the Atlantic harbours of France, a restriction which was subsequently relaxed in favour of all grain but of wheat and its flour. The run upon the savings-banks was also incessant throughout the earlier period of the year, and it was estimated that the decrease of animal food consumed in Paris during the three first months of 1839, compared with the corresponding period of the preceding year, amounted to 1,800,000 lb., or 2 lb. on an average in the consumption of each inhabitant.

The annual report of the bank of France was read on the 31st of March at a meeting of the proprietors by the comte d'Argout, the governor of that institution. From this very clear and copious exposition, it appears that the profits of the bank were not quite equal to those of the preceding year, notwithstanding that they were very high. The dividend for the first half-year of 1838 was 52f., and the second 62f. per share, of 1,000f. capital, and yielded therefore 11 per cent. The total amount of profit for 1838 was 7,740,000f. It was likewise shewn that the branches of the same institution

were still productive and increasing in profit. The bank of Rheims produced a profit of 25,000f. in the first half-year, and in the second 66,000f.; that of St. Etienne in the first half-year gave 6,000f., and in the remaining portion no less than 82,000f. The bank of St. Quentin realized in the earlier portion 800f., and in the remaining six months 54,000f., while the branch at Montpellier, which made a loss of 15,000f. in the first, made a profit of 14,000f. in the second half-year.

There is one remarkable feature in the management of this institution which would seem to evince the soundness of the principle upon which it is conducted. It appears that the bank has uniformly increased its issues in all periods of panic, and that in a ratio corresponding with the demands of the mercantile interests. Thus, during the three years, 1818, 1826, and 1830, which were severally marked by a financial crisis, the bank discounted bills to an amount almost double that of the years 1821, 1822 and 1823 which were reputed ordinary periods, and 300,000,000 more than during 1817, 1824, and 1827, which were seasons of commercial activity.

Another characteristic of the bank of France which was brought into prominent notice on this occasion in consequence the change which had been made against the management by some of the journals of regulating its issues at the will of the court party, for the improbable purpose of exacting or allaying public feeling during particular ministerial crises, is the large amount of its discounts, with their regular and systematic increase, and especially those with which the lower people are ac-

commodated. No one would think of offering bills of 8*l.* or 10*l.* to the bank of England to be discounted. The nature of the operations of the bank of France in this department will be seen by the following analysis. In 1836, of 406,000 bills discounted, the average was 1,868*f.*; in 1837, of 440,000 bills, the average was 1,709*f.*; and 1838, of 576,000 discounted bills, the average was 1,390*f.* or about 56*l.*, while out of that number 68,000 were for 200*f.* or even a smaller sum.

The circulation of the bank of France is stated to bear the same proportion to the bank of England that the population of Paris bears to that of London. It varied in the course of 1838 between 195,000,000*f.* and 227,000,000*f.*, and appears to be principally confined to the capital and its environs, while our own has the advantage of the legal tender clause, and a circulation more or less over all the kingdom.

It appears from the *Moniteur*, that notwithstanding so many disadvantageous circumstances, the general receipts of the revenue during the first quarter of the present year amounted in January to 49,743,000*f.*; in February, to 47,751,000*f.*; in March to 54,999,000*f.*; making in all 152,493,000*f.* This calculation presents an increase on the first two months, but the receipts in March exhibit a falling-off as compared with the proceeds of the corresponding month in 1838. A comparison of the produce of the indirect taxes during the first quarter of 1839 compared with the answering periods of the two preceding years presents a surplus of 8,777,000*f.* in favour of 1839 over 1837, and of 4,806,000*f.* over

1838. It should be observed, however, that the tax on home-made sugar which did not exist in 1837 and 1838, yielded in 1839 1,262,000*f.*

A return of the administration of the finance of France during the year 1838 shows that the income amounted to 1,155,329,168*f.* while the expenditure was no more than 1,116,691,601*f.* This left a balance of 38,619,650*f.*, about a million and a half sterling.

The same official journal gives a statement of the income for the year 1837, and compares it with the returns for 1836. It embraces all the branches of public revenue of which however we can only notice a few items. The proceeds of the customs for the first year amounted to 169,069,343*f.*, the difference in favour of 1837 being 1,909,368*f.* The general movement of trade, which was more or less affected by the financial crisis of the United States, shewed in 1837 a result inferior to that of 1836; but the import trade maintained itself, and even exceeded by nearly 5,000,000*f.* that of 1836. The sea-port towns produced 73 per cent. of the whole amount of customs duties, and the offices situated along the land frontier the remaining 27.

The custom house at Marseilles received nearly the whole of the duties on goods imported by the Mediterranean amounting to 27,553,000*f.* for 1837. Of the five principal Atlantic harbours, Havre produced 17,160,000*f.*; Bordeaux, 9,700,000*f.*; Nantes 5,916,000*f.*; Dunkirk 5,418,000*f.*; Rouen, 2,896,000*f.* The receipts of the revenue in 1837 amounted to 1,079,232,732*f.*, and compared with those of 1836, which were 1,054,785,718*f.*, gave a net sur-

plus of 24,447,014f., or nearly 1,000,000*l*.

In the meanwhile, all other topics were absorbed in the interest created by the electoral question. Incredible efforts, it is said, were made on either side to promote the return of the respective candidates, and the imputation of the lowest intrigue and most unscrupulous corruption were applied with no parsimonious measure upon the proceedings of the court party. Meetings were held, public dinners were given, and the salons of the respective chiefs were daily open to the reunions of their several followers. M. Guizot lost no time in addressing to his constituents of Lisieux a letter in which he upbraids the cabinet for the late dissolution, and for having in this manner come to an issue with a second chamber in the course of eighteen months.

The sarcastic pen of M. de Cormerin contributed a pamphlet, entitled *The State of the Question*, with the purpose of enlightening the electors on the subject of constitutional freedom.

In these dispositions the eyes of all parties were directed to the events of the 4th of March. On that day the general contest took place, and it was seen at once to be but too probable that the result of the electoral returns was, to leave the Molé administration, after all their exertions in actual minority. This last experiment convinced them of the inutility of any further endeavour to conduct the government, and with this determination began the period of the celebrated ministerial crisis. For many weeks one combination was tried and cast away after another, interview succeeded to interview, every day produced its own catalogue of the

forthcoming administration, and, at length, after having recourse successively to marshal Soult, M. Thiers, and M. de Broglie, and having thrown his incoherent materials into every conceivable variety of juxtaposition, the king found himself on the eve of the 26th of March, without a ministry to open the session. It was accordingly found necessary to prorogue the meeting of the chambers until the 4th of April. In the interim, on the third day of the last mentioned month, the *Moniteur* exhibited a series of royal ordinances accepting the resignations of the Molé administration, and nominating a provisional cabinet.*

The session of the newly elected chambers was accordingly opened on the 4th of April by commission, a proceeding which dispensed with the necessity of the usual speech and address, though it was the first occasion on which the king had omitted to inaugurate the ceremony in person since the accession of the dynasty of July. The assembly then broke up and retired into its *bureaux*, for the purpose of electing the requisite chairmen and secretaries. The advantage was eventually on the side of the coalition.

* M. Gasparin, *Minister of the Interior*.

M. Girod (*de l'Ain*) *Minister of Justice*.

The Duc de Montebello, *Minister for Foreign Affairs*.

General Despaux Cubieres, *Minister of War*.

Baron Tupinier, *Minister of Marine*.

M. Parant, *Minister of Public Instruction*.

M. Gautier, *Minister of Finance*.

M. Gasparin, (*a former Minister of the Interior*), *Minister of Commerce, &c.*

The place of the President of the Council was not filled up.

The most important trial was, however, still to be made. The ballot for the presidency of the chamber of deputies was opened on the 16th instant. M. Passy and M. Odillon Barrot were the principal competitors. When the operation was concluded, the following issue was proclaimed by the temporary president :—

Number of voters . .	431
Majority required . .	216
M. Passy obtained . .	223
M. Odillon Barrot . .	193
M. Dupin	9
M. Dufaure	3

M. Passy therefore was chosen. The Doctrinaires it is believed went over *en masse* to the court party, and by their numbers, amounting probably to 36, completely turned the scale in favour of the ministerial candidate. Great indignation was exhibited by the liberal press at the discomfiture of M. Barrot by the default of this important section. "Never" says a contemporary writer, commenting on the above transaction, "did the king display more consummate talent than in the dissolution of that formidable confederacy which overthrew a ministry because it acted under his majesty's influence, and out of which he has drawn the necessary number of recruits to reconstruct withal the cabinet on precisely the same principle of that which had been so lately broken up. The truth is, that the parties in the late struggle were the king and M. Thiers. The latter was able but the former was the abler. Not one of the advantages reckoned upon by the liberals from their unnatural conjunction with doctrinaires and legitimatists are they now likely to draw from it."

The next day, Messrs. Cunin Gridaine, Calmon, and Teste, were

chosen to be vice-presidents of the chamber, and after a ballot repeated on two successive days, M. Leon de Malleville obtained at length the legal majority which was requisite to entitle him to fill the fourth chair.

The chamber having thus been completely constituted, M. Mauguin gave notice that he would, on the 22nd inst., take occasion to request some explanation with regard to the existing state of the ministerial question. "Although (said he) we have no right to interrogate our colleagues, I think that such of them whose names have figured in the several combinations which have been proposed, are bound to inform us what were the causes to which the sterility of their efforts are to be attributed."

When the appointed hour arrived, the hon. deputy arose, and went over the different phases which the crisis had undergone since the dissolution of the cabinet of the 15th of April, which he fixed at five. The first, a coalition cabinet, had been abandoned in consequence of the exigencies of the *centre droit*. The second which was to have been a *centre gauche* combination, was likewise given up on account of the reluctance of M. Thiers to enter it. The formation of the third cabinet was committed to the president of the administration of the 22nd of Feb. (M. Thiers). The motive of its failure had not transpired. The fourth projection was exclusively the work of Marshal Soult, and remarkable for the diversity of men and principles which had been huddled together within it. The fifth endeavour was productive of the return of M. Passy to the presidency of the chamber. M. Mauguin concluded by inviting

the different personages who had been conspicuous in these combinations to disclose the reasons of their failure.

The reader will, perhaps, not regret the space allotted to the statements of the several political parties; they present the most authentic elucidation of the complications of the previous period, and are certainly not devoid of instruction.

M. Dupin was the first to follow. The hon. deputy informed the house that he was preparing, after his election, to return to Paris and resume his seat at the *centre gauche*, when he received several messages urging him to repair to the capital, and aid in constructing a coalition cabinet. After the triumph of that party, said M. Dupin, there appeared to be nothing unnatural in the formation of such an administration; he could not, however, so readily discern the reason for which the application had been made to himself, who had neither belonged to, nor admired, the coalition. If, therefore, he came to the determination of making part of the projected ministry, it was only on the condition that its principles should be consonant with his own. Unambitious as he had always been of a seat in the cabinet, he accepted one on this occasion because the illustrious individual who had been selected by the king to preside over its councils, was popular both abroad and at home. He also approved the selection of Messrs. Humann, Thiers, Dufaure, Passy, Sauzet, and Duperre. A programme,* proceeded M. Dupin,

was then drawn up, in which the opinions of the *centre gauche* were clearly set down. The first article, implying a change of system, received, he said, his full approbation; the second, relating to the reduction of *rentes*, was not agreeable to him; he was opposed to the measure, but, as he knew that it could not be effected that year, the proposal underwent no opposition from him. The third article referred to Spain. No intervention was stipulated; the cabinet merely reserved to itself the power of acting according to circumstances. The fourth related to the appointment of public functionaries who had been nominated by the former cabinet with much less reference to their official aptitude, than their claims of a less desirable nature. Marshal Soult took charge of the programme, and laid it before the

moderate opposition, was written it is said, on six pages in folio, and summed up in the six following clauses:—

1. Henceforward the king was no longer to grant audiences to foreign ministers without the presence of the secretary for foreign affairs.

2. A pledge that the reduction of the 5 per cents. should be carried as a government question.

3. A formal declaration that the king of the French would never recognize Don Carlos, happen what might, and an engagement to make war upon them, if he possessed himself permanently of Madrid.

4. A pledge to the effect of carrying the quadruple treaty into execution in the same manner, and to the same extent, as the British cabinet.

5. Immediate dismissal of about twenty prefects and thirty sub-prefects, who had committed themselves and their official authority in electoral intrigues.

6. On pledging himself for the faithful execution of these conditions, the king was to continue to preside *ostensibly* in the council of ministers.

* This Programme which was presented to the king by the chiefs of the

king, by whom it was accepted. The ordinance appointing Marshal Soult was even signed, and the transaction on the point of its conclusion, when M. Dupin met his colleagues for the last time at the Marshal's house. There the question of the presidency of M. Odilon Barrot was debated. The majority of the chamber was evidently on the side of the *gauche*, and M. Dupin was of opinion that the system ought to be consequently modified in that sense. Others, however, maintained a different view, and the combination failed. M. Dupin declared, that he had since been applied to to form part of all the combinations that succeeded. "I do not know," said the hon. deputy, "what has entitled me to so much honour. I feel, however, but little flattered by it; and must request the framers of all future cabinets to leave me out of their ministerial lucubrations."

M. Thiers then rose to explain the reasons for which he had not accepted office in any of the various combinations of the forty-four days which had elapsed since the elections of the 4th of March. His first objection had been grounded, he said, on considerations of foreign policy. He had desired to see the modification of the course adopted on the 15th of April. No difficulties had been raised by him on domestic questions. He had consented to the maintenance of the laws of September, which he had indeed contributed to establish; nor would he consent to modify any but the article relating to the *attentat* which required a clearer definition. He had, however, suggested the necessity of adopting a more decided course, and wished, with that view, to be at liberty to

remove those public functionaries who were incompetent for their situations. On the question of the reduction of the *rentes*, the government, in his opinion, ought to take the initiative. The Belgic and Italian difficulties being now settled, could no longer present any further embarrassment. The Eastern question, on the other hand, said M. Thiers, offered no difficulty of a serious nature. The part of France was to maintain peace in that quarter, at the same time that she held herself ready to act according to circumstances with becoming dignity. With respect to Spain, the hon. deputy had sacrificed his ideas on the necessity of an intervention, and had only insisted that France should do for the queen as much at least as England was disposed to do. Though he had himself presided over the council, he had gladly accepted the Presidency of M. Soult. The comparative youth of the hon. member, and the glory of the marshal, imposed upon him the obligation to relinquish all pretensions to that post, at the same time that he refused, from the beginning, to accept any other office but that of the Foreign Department.

The hon. deputy then entered into a detailed account of the negotiations to which he had been privy since the 4th of March. In the first which was attempted, it was proposed to include M. Guizot; M. Thiers, however, stipulated for the admission of his own adherents, and the combination came to nothing. The next was a purely *centre gauche* administration. They waited upon the king, and came to an understanding with him on many points of Foreign policy, though he had differed on others;

but the only point of positive disagreement was the question of Spain. It was the desire of M. Thiers to furnish the commander of the French naval forces on the Spanish coast with the same instructions which were given to the English squadron, and to aid the constitutionalists with arms and other provisions. The king, however would not come into this proposal, and M. Thiers accordingly addressed a letter to the Marshal, in which he apprized him of his resolution to retire. M. Soult informed him, in reply, that his majesty had consented to accept his programme, and requested him to withdraw his resignation. In consequence of this communication, he repaired with his friends to the chateau, although he felt convinced that the king did not, in fact, approve of the programme in the sense in which he understood it. Such was actually the case. His majesty could not be prevailed upon to view the treaty of the quadruple alliance in the light in which it appeared to M. Thiers. This took place on the 21st of March. Another cause of the split in the embryo administration was, the question of the presidency of M. Odillon Barrot. The only person, however, who opposed the measure with any vivacity, was M. Humann, who retired from the combination. M. Thiers had been of opinion that M. Humann could have been easily replaced; but as his secession was deemed to have broken up the cabinet, the combination was at an end. The next day, Marshal Soult waited on M. Thiers, and released him from his engagement towards himself. What was, however, his astonishment, when, on being sent for by the king, his

majesty made him an offer of the presidency of the council. He did not accept the proposal, and took occasion to assure the marshal of his determination to enter no ministry of which the latter should not be the president. From that moment he had never seen the Duke of Dalmatia. The construction of a cabinet, pursued the hon. deputy, was next imposed upon the Duc de Broglie, who requested M. Thiers, with his friends, to aid him in an administration. He consented, but upon the two conditions of the acceptance of the programme, and the election of M. Barrot, a stipulation which was not accepted.

M. Thiers then proceeded to give the history of the last negotiations which had been carried on between himself and M. Passy through the medium of M. M. Dufaure and Vivien. The marshal insisted on his relinquishing all claim to the Foreign Department, and admitting M. M. Guizot and Duchatel to be his colleagues. The friends, however, of M. Thiers had declined agreeing to such terms for him, and he thanked them for guessing so well his intentions. The hon. deputy, in conclusion, declared that he had never been, properly speaking, charged with the formation of a ministry: he had figured but ten days, out of the series of forty-four, in the endeavours made to form one, and he remained at present a stranger to any combination.

M. Guizot then presented his own account of the part which he had borne in the several combinations, and endeavoured to make it appear that he had not been the cause of their failure. So far from that, he had even taken pains to

prevent the newspapers, devoted to himself and his friends, from alluding to the existing crisis, under the apprehension that they might give offence. True it was, he had refused, in conjunction with M. Duchatel, to enter a coalition cabinet, when, at one moment, it was almost completed; but the cause of this reluctance was, the stipulation that the election of M. Odillon Barrot should be made a cabinet question. M. Guizot felt convinced that, to make this question a cabinet one, would have the effect of intimidating the Conservative party, while it would go too far towards binding the government to the *gauche*. He was strongly impressed with the belief that a cabinet formed from the *gauche* and *centre gauche* could not maintain itself, and that a ministry created out of the two centres (of which it may be observed, M. M. Thiers and Guizot are the respective leaders), was the only one that could endure for any permanent period, and conduct the public business of the country.

The marquess of Dalmatia then rose, and declared on the part of his father, that the marshal assumed all the responsibility belonging to the part which he had performed in the late negotiations, and exonerated the king from all blame for the delays that had taken place.

M. Passy then observed, that as the king had accepted the programme of M. Thiers, the failure of the proposed combination must have been owing to some other cause. The three weeks that followed the 21st of March had been consumed in mere gossiping, when M. Passy, who had been just elected president, stated to marshal Soult that no further time ought

to be lost in re-constructing the government. The marshal replied, "Try what you can do, and I shall see what can be done with it." With this apparent authorization, M. Passy proceeded to draw up the plan of a cabinet, and had recourse to several leading deputies, and in particular to M. Thiers. The latter agreed to take office as minister for foreign affairs, and having obtained the concurrence of the remaining gentlemen, he returned on the 20th instant to M. Soult, who then declared to his great astonishment, that M. Thiers could not have the portfolio of the foreign office, but that the departments of finance, or of the interior, were at his service. The friends of M. Thiers, M. Vivien and Dufaure, who had been appointed to act for him, declined the proposal, and, in the opinion of the speaker, very properly. M. Passy concluded in these words: "I know not how to account for this alteration of the marshal's views, at a moment when every thing was at the point of being concluded. It is certain, however, that this change upset every thing. I declare to the chambers that this alteration was on my part made the subject of a conversation I had with the king, who (and this is my profound conviction), had given full powers—a *carte blanche*—to marshal Soult, and religiously abstained from interfering in any shape with the discussion or the decisions of the programme."

The marquess of Dalmatia denied that the opinions of his father had undergone any change. He differed from M. Thiers on the question of Spain, and could not therefore recommend that he should be entrusted with the foreign department.

M. Teste confirmed the statement of M. Passy. After an interview with M. M. Vivien and Dufaure, he waited on the marshal on Saturday evening, the 20th instant, who informed him that M. Thiers was at liberty to choose between the departments of finance and the interior, adding moreover, "as a *sine quâ non*, that M. M. Guizot and Duchatel should be members of the administration."

M. Thiers rose once more to correct the marquis of Dalmatia, who had asserted that the question of Spain was not the principal one on which the rupture of the negotiations took place on the 21st of March. "I and my colleagues," said the hon. deputy, "discussed that question maturely and at much length. I made to them concessions, and, in return, they promised to concur with me in affording the real tokens of friendship which I proposed to display for the queen (for the programme was drawn up by me in their presence, and I might almost say under their dictation), provided that the king approved of them. The discussion then arose between the crown and me. The crown exercised its right, and I exercised mine, but every thing passed with that degree of respect which every good citizen owes to the crown."

The first speaker on the following day was M. de Lamartine, who rose to lay a complaint against M. Guizot, who had said, that when consulted on the ministerial crisis, he not only spoke, but even stipulated in favour of the "221," the ancient constitutional majority. Now M. de Lamartine declared in the name of his friends, that M. Guizot had been entrusted with no such mission. They had invariably kept aloof, and were, conse-

quently, not to blame for the failure of the combinations of the last six weeks. The "221" in his opinion, constituted the real parliamentary party, for they had remained religiously within the limits of their own prerogatives without encroaching upon those of the other powers, while the opposition was made up of a number of hostile factions, whose union had brought about the dissolution, and placed the crown in the present critical position. There was now, said M. de Lamartine, no majority in the chamber, in the country, or in ideas.

M. Guizot apologized for the employment of the term "stipulation." He could not, it was true, have received any mission to that effect from M. de Lamartine or his friends, but when the welfare of the country or the crown required it, he was not, said he, the man to wait for such a sanction to recommend to the crown the men who he believed to be most capable of extricating them from their difficulties. For himself, he denied that he had altered any one of his fixed opinions in joining the coalition.

General Bugeaud blamed M. de Lamartine for taking up the expression of M. Guizot. The speech delivered by the latter was, he said, very conservative, and represented the opinions of the "221." In his opinion, a majority might still be constructed by the fusion of the two centres, and he thought that the "221" had given an unequivocal proof of their self denial in raising M. Passy to the presidency, and had thus made the first step towards a reconciliation.

M. Odillon Barrot stated, that the notion of constructing a cabinet in which he was to sit with M.

Guizot had never seriously been entertained. It was time that he had been consulted in the formation of the ministry of the *centre gauche*, but he gave no opinion with regard to its expediency, nor did he make any stipulations in favour of himself or his friends of the left centre. The *gauche* had never made the presidency a condition *sine quâ non* of their support, and so soon as he was informed that his own election had become a cabinet question, he wrote a letter in order that it might be produced in case of need, disclaiming all pretensions to that high honour.

After a lively speech from M. Mauguin, and a few words from M. Girod (*de l'Ain*) and M. Teste, the discussion was declared closed. We may record at this period the projection of another cabinet which was however destined to meet with the fate of all its predecessors, and be disconcerted on the very eve of its accomplishment. M. Passy submitted to the king on the evening of Sunday, the 28th of April, the projection of another ministerial combination which had been agreed to by the leaders of the *centre gauche*, and received the requisite powers to proceed to its formation. The proposed arrangement comprised the following names: M. Pelet, minister of the interior; M. Thiers, minister for foreign affairs; M. Dufaure, minister of public instruction; M. Vivien, minister of public works; M. Sauzet, minister of commerce; marshal Maison, minister of war; and admiral Duperre, minister of marine.

Those gentlemen assembled the next day at noon in council at the palace. The ordinances for the constitution of the new cabinet

were all prepared, and the king immediately signed the one that appointed M. Pelet minister of the interior, which was afterwards countersigned by M. Girod. M. Pelet was to affix his signature to the ordinance, which was to nominate M. Dupin minister of justice, and the latter was then to countersign all the others. These preliminary formalities having been gone through, the members of the provisional administration retired from the council room.

The new ministers on their side repaired to the hotel of the presidency of the chamber of deputies, with orders to return to the palace at two o'clock. During this meeting the question of the presidency of the council, which had divided its members on the preceding day, was agitated once more. M. Dupin declared that the difficulties they must expect to encounter would not emanate from the chambers alone, for "the crown had accepted but not chosen the cabinet." He observed, moreover, that they must not rely upon the doctrinaires and the anti-parliamentary faction of the "221" who had thrown every possible impediment in the way of the formation of the *centre gauche* cabinet, and had not permitted M. Cunin Gridaine to accept the portfolio that had been offered to him. Under these circumstances, M. Dupin observed that the ministry could not be too strong, and he counselled them, as the first condition of durability, to elect a real and permanent president. This office, it appears, that M. Dupin refused for himself, but he objected, it is said, to the selection of M. Thiers or marshal Maison. The new minister, in short, could not come to an understanding upon the matter, and when every hope

of an accommodation was at an end, M. Passy repaired to the Tuileries, and delivered into the king's hands the powers with which he had invested him on the preceding day.

The apparent apathy of the public left Louis Philippe comparatively at liberty to prosecute (if such were his intentions) the system by which he was said to be wearing out the opposition, in the hope that when the season should have advanced a little further, the chamber would consent to hurry through the business of the session under the present ministry, or any other cabinet which his majesty might appoint or accept. It was moreover alleged, with how much truth we are not able to say, that it was the principal object of the court throughout the whole of these transactions to isolate, reject, and annul M. Thiers.

The chamber of deputies, however, began at length to exhibit an exception to this indifference. Upwards of four months had now elapsed since the meeting of that assembly, on the 17th of December, without a single step having yet been taken to forward the public business. On the 3rd of May, M. Mauguin gave notice of a motion for an address to the crown, begging the king to lose no time in choosing an administration, and that from "the men who, while devoted to the preservation of order, were also devoted to the principles of constant, wise, and rational progress." When the motion came under discussion on the 10th of May, the chamber adopted the principle of the address, but rejected the subsidiary paragraph, in which were vaguely set down the conditions upon which the new cabinet was to be formed. The

initiative of the draft of the document was reserved for the committee, which the chambers proceeded to elect on the following day as their *bureaux*.

The object, however, of the address, which was in preparation, was far more effectually precipitated by an unforeseen occurrence of an alarming character. A number of men, amounting to at least 200, made their appearance suddenly on the afternoon of Sunday the 12th inst. in the Rue St. Denis. A crowd of idlers were attracted by their presence, and they were immediately joined by others of their own party, who were dressed like themselves in *blouses* and *casquettes*, the ordinary apparel of the working classes. They then moved rapidly down the street, (the focus of all previous insurrections), until they came to a stand before the house of Lesage the gunmaker, and broke into the premises. Upwards of 150 muskets and other fire arms fell into their hands, and with this equipment the party pursued their way to the Quays. Here they divided. One portion repaired to the military post on the Quai aux Fleurs. They summoned the troops to surrender, and then, without waiting for a reply, fired a volley, which struck down the sentinel and wounded the officer in command and a sergeant. The soldiers, who were principally conscripts, then laid down their arms. Having achieved this feat, they proceeded to attack the Palais de Justice; here, however, they were repulsed by the municipal guard, who killed several of them. In the meantime, the military station in the Place du Chatelet was assaulted by another section of the insurgents, and easily disarmed; and a similar

success attended the detachment which was directed towards the Place de Grève to seize the Hotel de Ville. Having thus made themselves masters in less than an hour of the principal posts of Paris, a general movement was made towards the classic ground of the Rue St. Martin. There they began as usual to erect barricades in a line from the church of St. Marie towards the Halle; and some points, it is said, were as well covered with these obstructions as they were in the days of June 1830. The municipal guards were the first to approach the insurgents. After a heavy fire, which took but little effect on either party, the latter at length gave way, and fell back upon the central point already mentioned. Several detached encounters, with the loss of many lives, took place in the course of the evening between the rioters and the authorities; and the assault, which was evidently conducted upon a concerted method, would probably have taken a still more alarming character but for the wisdom with which marshal Gerard, who was immediately invested with the military command of Paris, had made his dispositions, and the courage displayed by the national guards and the troops which were brought with so great celerity into the action. The promptitude of these proceedings defeated, apparently, any hopes that the insurgents might entertain of holding the position which had been selected for their *point d'appui*, and after eleven o'clock on Sunday night they gradually disappeared from the quarter in which they had been barricaded. The next morning an enormous force of regular troops, amounting near, it is said, to

50,000 men, were within the walls of Paris. All the national guards were under arms. The military took possession of the whole quarter which the insurgents had lately occupied, with the streets which had been the theatre of their disorders, while numerous patrols of infantry and cavalry of the line continued to traverse the Quays and other principal avenues of the city; and thus the insurrection, which appears to have been promoted by a nucleus of republicans, was effectually put down, and tranquillity restored throughout the capital.

As an immediate consequence, it may be supposed, of these events, the king at length, on the evening of Sunday the 12th, when the *émeute* took place, appointed a ministry in lieu of that which had been named *ad interim*. It was placed under the direction of MARSHAL SOULT, who accepted the offices of President of the Council and Minister of Foreign Affairs. The remaining functionaries were

M. TESTE, Minister of Justice.

GENERAL SCHNEIDER, Minister of war.

ADMIRAL DUPERRÉ, Minister of Marine.

M. DUCHATEL, Minister of the Interior.

M. CUNIN GRIDAINE, Minister of Commerce.

M. DUFFAURE, Minister of Public Works.

M. VILLEMAINE, Minister of Public Instruction.

M. PASSY, Minister of Finance.

And thus the protracted ministerial crisis was brought at last, by the force of an accidental circumstance, to an end.*

* The principal delinquents in the

The demand of a grant of 10,000,000*f.* by the minister of the marine, to defray the expense of increasing the navy in the existing situation of affairs, gave rise to a debate on the 1st of July, which did not terminate until the 3rd of

the same month. On a division there were;—for the grant 287; against it 26: majority 261.

The remaining items of the supplies required for the year were passed on the 19th of July, with the haste that had characterised their previous votes on the subject. On the question, that the bill embracing the whole (which amounted to 1,099,913,487*f.* or 44,000,000*l.*) do pass, the number for the bill were 237; the opponents 43: majority 194.

late *émeute* were subsequently brought to trial before the court of peers. The leader of the riot, Armand Barbes, a gentleman of fortune, was condemned to death. Several others were sentenced to forced labour for life. The capital punishment was however remitted in the case of Barbes, who excited great interest, by the special act of mercy of the king. The prisoner Barbes was moreover charged with having been an accomplice in the murder of lieutenant Dromneau in the late affray.

On the 21st of June, the chamber of deputies commenced, and concluded on the succeeding day, the discussion of the staff bill of the army, by which it was proposed to fix at eight the number of the marshals in time of peace, and twelve in the time of war. The chamber, however, notwithstanding the efforts of the ministers, succeeded in reducing the first figure to six.

The short and ineffective session of the parliament of the 4th of April, closed on Wednesday the 7th of August. Nor were the remaining months of the year marked by any events of an historic character, if we except the renewal of hostilities in the month of December by the sultan Abd el Kader in the province of Algiers, which will find a more convenient place in our succeeding volume.

CHAPTER XVII.

SPAIN.—*State of parties—Chambers prorogued—Efforts for the approaching campaign—Force of Christinos and Carlists—Victory of Ayerbe—Maroto—Massacres six generals—Expels his rivals from the court—Follows Espartero into Santander—Van Halen at Segura—He is superseded by Noguera—Espartero storms Ramales and Gardamino—He advances into Biscay—Maroto retires—Espartero takes Orduna—Created Duke of Victory—Diego Leon in Navarre—Repulsed from Estella—Falls back upon Lodosa—Capture of Ripol by Count d'Espagne—Madrid—Cabinet changes—Resignation of Pizarro, Chacon, and Hompanero—M. Ximenes Minister of Finance—Dissolution of Cortes—Tithes re-established—M. Aston succeeds Lord Clarendon—Popularity of the late Minister—Espartero occupies Balmaseda and Arceniga—Success of O'Donnel at Lucena and Tales—Numerical force of the Army of the north—Re-appearance of Muniagorri—Basques desirous of peace—Intrigues in court and camp of Don Carlos—Revolt of Navarrese Battalions—Maroto suspected—Open rupture with Don Carlos—Flight of the latter to Lecumberri—Maroto negotiates with Espartero—Convention of Bergara—Maroto lays down his arms—March of Espartero through Guipuscoa—Carlos retires to Uraz—Takes refuge in France—Virtual conclusion of the war—Meeting of the Cortes—Queen's Speech—Fueros Bill—Report of the Committee—Bill of Amnesty—Calatrava President—Debates on Fueros Bill—M. Olozaga's amendment—Proposed compromise—Violent discussion in Deputies—M.M. Olozaga and Alaix—Sentimental scene in the Chamber—Bill passed—Address—Amendment carried by Opposition—Cortes prorogued—Resolution passed in anticipation of the event—Resignation of Alaix—Dissolution of Chambers. PORTUGAL.—Opening of Extraordinary Cortes—Queen's Speech—Committee on elections—Ordinary Cortes succeed—Ministerial Address voted—Ministers beaten on Standing Army—Resignation of Cabinet—New Ministry of Sabrosa—Loan voted—Budget passed—Session concluded—Lord Palmerston's Slave Trade Bill—Dismissal of Sabrosa Administration—Cause of their retirement—Count de Bomfim Prime Minister.*

THE proceedings of the Spanish Cortes, at the opening of the year 1839, were not distinguished by any interesting circumstance.

The truce tacitly agreed to by both parties, had not yet been broken. Split up into subdivisions, the majority of the chamber

were not yet prepared to attack the administration, though they, by no means gave a decided adhesion to all its measures, and the cabinet, on the other hand, seemed to be little more disposed to provoke hostilities. Both parties remained *en presence* upon the arena.

Little opposition was, therefore, made to several bills, which received the sanction of the chambers. The queen was empowered to organise a council of state, upon the French model, consisting of thirty members, not under forty years of age, who had also rendered important services to their country. It was enacted, that during the impending conflict, any portion of the kingdom was liable to be declared in a state of *prevention* or *siege*. The government was enabled to grant pensions to the widows of those generals who had fallen in battle. A sinking fund bill was also permitted to pass into law. The chambers, moreover, agreed to a measure for taking the election of *Alcaldes*, or mayors, out of the hands of the several municipal corporations, and vesting the nomination of those officers in the crown. The anniversary of the constitution of 1837, was appointed to be kept as a national festival.

When the chambers had dispatched the more indispensable business of the session, an ordinance appeared on the 9th of January, for their indefinite prorogation. The object of this measure was to enable the ministers to apply themselves the more unreservedly to the prosecution of the war, in order, if possible, to bring the national conflict to a determinate issue within the limits of the year, without the embarrassing aid of a constitutional legislature.

With that object, the chambers
Vol. LXXXI.

had already placed at their disposal all the available resources of this impoverished country. M. Pita Pizarro, and general Alaix made incredible exertions in their respective departments. The number of the national militia was raised to 501,458 infantry, 11,615 cavalry, 5,992 artillery men, and 583 bombardiers. Of the infantry, 155,209 were armed; of the horse, 7,739; and 5,254 of the bombardiers. The minister of war was also actively engaged in re-organising the cavalry, and providing means for the equipment of 5,000 additional horse-soldiers. Reinforcements were, at the same time, forwarded, day by day, to the queen's army in Arragon, where Cabrera carried on a war of extermination.

In the mean while, M. Pita Pizarro had succeeded in realising a sum of 40,000,000 reals, (400,000*l.*) Of these, 36,000,000 were dispatched to Espartero, who commanded the army of the north; 3,000,000 were paid over to the queen, in part payment of arrears due on the civil list; and the remaining 1,000,000 was divided among the most needy of the unfortunate public officers. The army of the north alone, it would appear, absorbed a monthly sum of 62,000,000 reals. The other camps and garrisons were in a state of great destitution. The army of reserve of 40,000 men, which was to have been organised, in pursuance with the decree of October 23rd, was now dissolved, and another ordinance suppressed the auxiliary junta, for the direction of the war department.

The military government of Spain would appear to have been distributed, at this moment, in the following manner, among the ge-

nerals of the queen. General Espartero, whose influence was predominant, commanded the army of the north, the most important charge; general Seoane commanded in Galicia; the baron de Meer was captain general of Catalonia; the army of the centre, which covered the provinces of Arragon, Valencia, and Murcia, was under the orders of Van Halen; Count Clonard had the supreme command in the capital of Andalusia; general Palarea exercised the same functions at Malaga; Quiroga had the command of Madrid.

The relative forces of the belligerent parties in the different portions of the kingdom, at the close of the last December, may be thus stated. The constitutional army consisted of 213,000 infantry, 12,500 cavalry, and 138 pieces of artillery. The Carlist army, on the other hand, was made up of 58 battalions of infantry, containing 55,000 men, 4,000 customs officers, cavalry 4,000, and 80 pieces of cannon. This comparison gives a difference in favour of the Christino army of 154,000 infantry, 8,500 cavalry, and 48 guns.

In the meanwhile, the misery prevailing in the Spanish capital, is said to have been beyond description. Mendicity had appeared in the streets in its most hideous forms. The number of individuals thrown upon private charity, had been augmented to a most distressing extent, by the reforms recently made in some of the government administrations. There was but one theatre open in all Madrid, and that only twice a week.

The campaign in Arragon opened on the 23rd of March, with an encounter near Segura, on which occasion general Ayerbe defeated

seven battalions of Carlists under Cabrera, whose head quarters were in that neighbourhood. Van Halen, the commander-in-chief, was at Teruel, in the same province, making preparations for the siege of Segura.

On the northern frontier, Espartero, having detached into Arragon, four battalions, was endeavouring to concentrate the remainder of his forces between Lodosa, Lerin, and Carcar.

Maroto continued at Estella to complete the equipment of his five battalions of Castile, each of whom were 900 men strong.

This person had lately secured his predominance by an act of signal atrocity. His re-appearance in the ranks of the Carlists, took place, it will be remembered, in the early part of the last year, shortly after the disgrace of the provincial party, to whose jealousy of the Castilians, Don Carlos had attributed the failure of the expedition against Madrid in 1837. At that period, the infante Don Sebastian had been removed from the supreme command, while generals Elio and Zariatagui, with others who commanded brigades and divisions under him, had either been superseded, or were upon trial, on the charge of having voluntarily contributed to the failure of the enterprise of the preceding year. Cabanes, the minister of war, was replaced by Tejeiro, a crafty Gallician. The generals were condemned to die by the council of war; but a movement which took place in their favour at Dicastillo, in conjunction with the intervention of Maroto, who had been just created commander-in-chief, induced Don Carlos to refuse his confirmation to the judgment.

Arias Tejeiro together with the bishop of Leon, and the two confessors of the pretender, went on to work diligently for the complete ruin of the provincial party. The rising of the troops, however, which took place against Tejeiro and the *Ojalateros*, put an end to the execution of their projects. Maroto took the command of the army, and from this moment commenced an inveterate struggle between the minister and the generalissimo, who endeavoured, on his part, to conciliate the affections of the troops, while Tejeiro contrived by his intrigues, to compromise the greater number of the generals, by exciting them to disobey Maroto. At length, it would appear, Tejeiro determined to strike a blow, and towards the end of November, 1838, he obtained from Don Carlos a decree for the removal of the commander-in-chief, in whose place it was proposed to substitute Francisco Garcia. The execution, however, was prevented, by the representations, it is said, of the archbishop of Cuba, father Cyril. But, although neither Maroto, nor his intended successor, were aware, for some time, of what had been projected, the subsequent demeanour of Garcia, was calculated to awaken the mistrust of his commander-in-chief; his part was, therefore, promptly taken. Having procured the arrest of thirteen general officers, he carried them on the 17th of February, 1839, to Estella. They were immediately led before a military commission chosen by himself, tried, and condemned to die, without appeal. The next morning, six of these unfortunate persons, Francisco Garcia, the late commander-in-chief Guergue, Pablo Sanz, Carmona, Ibarrez,

(under-secretary to the minister of war), and the intendant, Uriz, were brought out and shot in the church-yard of Estella. The doom of the remaining chiefs was suspended.

When the news of these proceedings reached Don Carlos, at Tolosa, he published, Feb. 21st, a decree proclaiming Maroto to be a traitor. In order, perhaps, to prove that he was no such thing, the general put his army in march, against his sovereign. Don Carlos immediately withdrew the obnoxious document, which was ordered to be burnt in every town and village, and issued another manifesto, wherein he begged his faithful servant to be pacified by this reparation. Maroto accepted the apology, and retired.

Espartero, in the meanwhile, after remaining a week at Lodosa, to collect his forces at the Ebro, marched with two divisions unexpected towards Victoria, intending to proceed from thence into the province of Santander in order to recover the ground which he had lost in the preceding year between Balmaseda and Ramales. Maroto immediately sent the greater part of his battalions in the same direction, and repaired to Tolosa for a personal interview with Don Carlos, whom he had not met since the 28th of February, escorted by a battalion of infantry and a squadron of horse.

On arriving at head quarters, April 4, he was received with every semblance of esteem by the prince whom he had so deeply humiliated. Their mutual alienation was of course not the less deep, "but being Spaniards," says the narrator, "they knew how to dissemble." A new state junta, which was to meet once a week

was formed under his auspices out of members of the late cabinet, and the council of state. Father Cyril, the Archbishop of Cuba, was made president; Elio and Zariategui were liberated from confinement, the former being appointed governor of Navarre, the latter receiving the command of the troops in that province. All the principal offices were filled with the friends of Maroto. His military rivals had been swept, by a single *coup de main* from his path; the master whom he had humbled was in his hands, and thus the fate of the Carlist cause, so far as it had not already been decided by the incapacity of the sovereign, the intrigues and animosities of his court and camp, and the growing impatience of all parties at this protracted and ineffectual war, became almost dependent upon an adventurer, whose fidelity had begun for some time to be called in question. Having put matters on the desired footing at Tolosa, Maroto followed Espartero with twelve battalions into Santander, where the latter appeared to be preparing for decisive operations.

The great anticipations which had been formed from the operations in Arragon, were not destined to be fulfilled. After the victory obtained, March 23, by Ayerbe at Segura, the commander of the army of the centre broke up from Teruel, and receiving considerable supplies from Saragossa, proceeded to form the siege of Segura, with sixteen battalions of infantry, 1,200 cavalry, and six field pieces. Cabrera, who had fortified the position, was at the head of an inferior force, having no more than nine battalions, and 700 horse, with two pieces. No little surprise was, therefore created when Van Halen,

after an ineffectual endeavour to provoke the latter to risk a battle in the plain, suddenly withdrew his forces from before Segura without striking a blow. He was in consequence superseded immediately by General Noguera. On the retreat of Van Halen, Cabrera overran the whole province, and became for some time the master of lower Arragon. It may be mentioned that Van Halen and Cabrera had just concluded an arrangement for the exchange of prisoners upon the basis of the Elliot convention.

Espartero, in the meanwhile, having quitted his position on the Ebro, arrived, May 8, in front of the formidable lines of Ramales, and made his dispositions for the assault. But being prevented from bringing his artillery to bear on the fortified houses by the fire from the batteries of the neighbouring fort Guardamino, he found it necessary first to make himself master of that stronghold. On the first onset, however, the guns that lined the ramparts of Guardamino burst, and blew up the dépôt of gunpowder and hand-grenades. This fortunate occurrence enabled him to return to the storming of Ramales. Notwithstanding the disadvantages of their situation, the slender garrison of 150 men defended themselves with the greatest pertinacity from 6 o'clock in the morning until two in the afternoon, nor did they give in before 108 of their number, together with the commanding officer, had been either killed or wounded. The next measure of the Christinos was to invest Guardamino, and open a mine underneath. The garrison, however, would have still held out, in the face of certain destruction, but for the intervention of Maroto, who sent them orders to capitulate.

They were then exchanged for the same number of Christinos, and sent to Durango.

Leaving Generals Castaneda and Archemala in charge of this important acquisition, Espartero then advanced upon Biscay. In consequence of this demonstration, Maroto, who appears to have uniformly avoided an encounter with the queen's troops, left a few forces at Ubal, and retired upon Balmaseda. But when Espartero, on the 22nd of May, carried Orduna on the frontier of Alava and Biscay, and thus intersected one of the most important lines which the Carlists had been able to establish, the latter abandoning both Balmaseda and Arciniega, left open the whole road from Orduna to Bilboa. By the expulsion of the Carlists from Santander, observes Espartero in the dispatch which he forwarded on this occasion to his government, the first operation of the campaign had been concluded. The loss on the queen's side amounted to no more than 99 killed and 741 wounded. Colonel Wyld, he observes, and the other British commissioner had been present during the whole transactions. For these services the successful general was rewarded with the title of Duke of Victory.

At about the same period, Diego Leon, parting from Lodosa, lower down the Ebro, advanced into Navarre. After gaining one advantage over Joachim Elio, he commenced an attack upon the lines of Estella, in order to open the communication with Pampeluna. Along the southern bank of the river, the forces of the queen were already established; the recent good fortune, moreover, of the Duke of Victory, bade fair to put them in possession of the

whole country between Vittoria, Orduna, and Bilboa, and it was obvious that the acquisition of the parallel line, connecting Lodosa through Estella and Pampeluna with the frontier of France, would have the effect of circumscribing Don Carlos within very restricted limits, and intercept his supplies from abroad. But the Christino general failed on this occasion to make himself master of the town. After a fruitless assault (with 11,000 infantry and eight squadrons of horse), he retired upon Pampeluna, and withdrew the whole of the actual garrison, and leaving the place under the protection of the national guard, returned with these augmented forces to renew his operations upon Estella; a purpose which, however, he saw fit for the present to abandon, and so fell back once more again upon his former position of Lodosa. On the other hand, the town of Ripoll in Catalonia, was taken by the ferocious Comte d'Espagne, who entered the place through a breach twenty feet wide, after a most heroic defence. The women fought with the men, and the little garrison of 500 persons sustained three times the assault of 8,000 men. All the women and children were put to death. The town was burnt to the ground, and 900 persons are said to have perished in the flames.

It is now time to give some account of the cotemporary transactions in the capital. Several alterations had already been effected in the divided cabinet of M. Perez de Castro. In the beginning of May, the minister of finance, M. Pita Pisarro, being accused, it is said, of having made overtures to the exaltados whom he was supposed to represent in

the government, retired from office, protesting that the army of the north had been better supplied during his administration, than at any former period. He had forwarded to Espartero, in the course of the three last months, 250,000,000 reals.* His abdication was followed by the resignation of the ministers of the marine and the interior, Don Jose Chacon, and Don Ant. Hompanero. M. Caramolino received the seals of the home department. After a considerable delay, M. Ximenes succeeded M. Pita Pizarro, and immediately put great activity into his department. Messrs. Lafont took, for three years, the lease of the tolls levied at the gates of the great cities, for a sum of 32,000,000 reals, of which 14,000,000 was to be paid on the 1st of June, the rest within the year. The bank was also induced to place at the disposal of the government 4,000,000 reals. These were forthwith despatched to Espartero, whose late operations had also effected a considerable rise in the funds. It appears that a council was summoned at this period, to determine the steps to be adopt-

* The receipts of the treasury during February, 1839, amounted to 388,915,436 reals, paid in specie and paper, and the expenditure only rose to 205,655,189 reals. The sum applied to the wants of the army during that month, was 107,412,564 reals. This return was published, it appears, by order of M. Pizarro to contradict an assertion of General Alaix, who stated that he had received nothing but protection paper.

The following return is given of the national property sold in the month of April, 1839. The number of lots was 1,412, and the proceeds of their sale amounted to 31,241,600 reals (312,416*l.*) The whole of the national property disposed of since the commencement down to the end of April, fetched a sum of 920,567,630 reals, (9,205,576*l.*)

ed with regard to the municipality of Madrid, who had actually presumed to summon queen Isabella, by the ordinary method, to appear in person, or by her attorney, to pay her share of the extraordinary war tax. General Valdez was appointed to succeed the Baron de Meer in the command of Catalonia, who returned to the government the whole of the decorations which he had received. Count Clonard was likewise replaced at Seville by Don Jose Caretala, who raised the state of siege in that city. Francisco Narvaez became captain-general of New Castile in place of General Quiroga.

The gazette of the 2nd of June, contained at length the long expected announcement of the dissolution of the Cortes. They were appointed to re-assemble on the 1st of September. It was arranged that the electoral operations should commence on the 24th. The result however would not be known until the 5th of August, when the polls of the capitals of the provinces would be made up. The same official journal contained another royal decree directing the temporary re-establishment of tithes, "in order to minister to the wants of the clergy and religious worship, and other branches of public service, in the absence of the Cortes, to whose approbation the measure was to be submitted in the early part of the next session." This notification is said to have given as much offence to the Exaltados as the dissolution of the chambers to the Moderado party.

It may be mentioned, that at this period Mr. Aston assumed the representation of Great Britain at the court of the queen of Spain, in the room of the late minister Mr. Villiers, who, it may

be remembered, had retired at the commencement of the year to England, to take his seat in the house of lords as earl of Clarendon. Lord Clarendon would appear to have been very popular at Madrid, if we may judge from the circumstance that a gold medal was struck in honour of the speech delivered on the 27th of July in the house of lords, as well as of his other eminent services. At a meeting subsequently held at the house of general Quiroga, the committee determined to translate the oration, which has been already noticed in our account of the parliamentary session, and put it in the most extensive circulation. It was also proposed to present the noble peer with some valuable work of art. M. Arguelles was a member of the committee.

To return to the military movements of the armies in the north. On the advance of Espartero, June 11, upon Balmaseda and Amurrio, Maroto, as usual, withdrew with his artillery, without risking an engagement, to Durango. The duke of Victory therefore made his entry quietly into the vacated position, and having successively taken possession of the surrounding posts, began to fortify a point which commanded the road between Vittoria and Arcinega, and between Ordune and Bilbao. Castaneda marched at the same time into Arcinega and Balmaseda. Before he quitted Balmaseda, Maroto had taken care to blow up the forts. In this manner the constitutional general continued apparently to extend his lines, instead of entering at once the Carlist territory, while the Carlist commander seemed to be only anxious to avoid placing any material obstacle in the path of his

opponent. In Valencia the more enterprising O'Donnel was equally fortunate. On the 17th of July, with 14,000 men, he attacked eleven battalions of Carlists entrenched around Lucena, and thus relieved the commander Asnar, who had been shut up in the place without provisions. It does not appear that Cabrera, although he was at the head of 20,000 men was in a condition to render any aid to the besieging corps. A few weeks later, the same general succeeded in taking the castle of Tales, after sixteen hours of hard fighting. An attempt was made in the course of the assault by Cabrera, to break through the lines and throw succour into the fortress, but without effect.

The army of the north consisted at this moment of 84 battalions of infantry, 28 squadrons of cavalry, and 45 corps of volunteers, in all 98,958 men, together with 4,403 horses, 533 pieces of cannon, 114 howitzers, and 43 mortars. The Carlist army opposed to it was composed of no more than 40 battalions, 8 squadrons, and 28 volunteer corps, making up 32,060 men, with 890 horses, 36 pieces of artillery, 9 howitzers, and 7 mortars. The queen's forces in Arragon and Catalonia bore a similar proportion to the troops of their adversaries. M. Ximenes contrived to forward another supply of 5,000,000 reals in specie to General Espartero.

From the particulars which we have collected, it will have been seen that the cause of Don Carlos was rapidly losing ground. Diego Leon pressed Elio in Navarre. In the west a great portion of the provinces of Biscay and Alava were already fallen into the hands of Espartero, who was

now in undisputed possession from Vittoria in the latter province to Durango, where his head quarters were. The Basques moreover began to exhibit their weariness of the protracted civil war, Mungorri had reappeared among them with the standard of *Paz y Fueros*, and it was believed, that they were quite prepared to make terms for themselves upon the stipulation of having their fueros secured to them. As if, however, all this concurrence of calamitous circumstances were insufficient, the chiefs of the so called "Apostolical" party, who had been driven by Maroto across the frontier, contrived to foment a serious revolt among the Navarrese battalions, in favour, professedly of Don Carlos, against their general Maroto. Under the instigation of the curé Echavarria, they seized upon Vera and Urdax, with several other places along the Spanish border, and gave themselves up to excesses of every description. The fifth and twelfth were more particularly signalised by acts of atrocity. General Elio was sent to establish order, while Castaneda by carrying the line from Sodupe to Agualdo, with all the forts and artillery, had been able to effect a juncture with his commander.

The event last mentioned, together with the accusations which were openly preferred against Maroto, who, indeed, it would appear, had been for some time in communication with the English commissioners and the constitutional general, tended to widen the breach between Don Carlos and his faithless servant. The open rupture however did not take place until the 25th of August. The following is the most consistent narrative which we have

been able to extricate from the very confused cotemporary notices of the minute and rapid transactions which eventually issued in the expatriation of the unfortunate claimant from the soil of Spain.

The schism arose immediately out of the review of the division of Espartero at Elorrio. On this occasion, the troops gave "*vivats*" for the general as well as the king. The prince immediately exclaimed that he was betrayed, and departed in wrath without concluding the review. Encouraged it would appear, by the insurrection in his favour at Vera, he repaired to Bergara in the hope of setting himself free from the tyranny of Maroto.

In a conference which took place on the succeeding day at Villareal, Espartero explained to the other officers the plea of pacification which was the source of the discontent of Don Carlos. The generals it is said insisted that the marriage of the young queen with the prince of the Asturias should be made an indispensable part of the arrangement. This proposal, which had been before rejected, was accordingly forwarded to Espartero, who declined to entertain it, and made a forward movement upon Bergara and Elorrio, at the head of a superior force. Being unable to oppose him in that direction, Maroto led his division consisting of five battalions to Aspeitia, in order it was said to cover Tolosa. On the other hand, Don Carlos connecting erroneously the object of this manœuvre with the advance of the constitutionalists gave out that he had been betrayed into the hands of the Christinos, and fled rapidly across Guipuscoa into Navarre. By his retreat to As-

peitia, Maroto abandoned to Espartero the formidable position of El Gueto, commanding the passage out of Alava into Guipuscoa. Espartero accordingly entered the last mentioned province, and invested the important town of Bergara on the high road to Vittoria. In the meanwhile, Don Carlos was retiring upon the northern frontier of Navarre, the only portion of his now disorganised army upon which he could depend. The Basque battalions in common with the Castilian forces, were impatient for a compromise.

From their respective positions of Bergara and Aspetia, the generals of the Carlist and Christino forces, were, it should seem, in constant communication, under the mediation of colonel Wylde and lord John Hay, who had been instructed to aid by every means in their power the accomplishment of an arrangement which should be satisfactory to all parties. The result of these consultations was a convention finally concluded at Bergara on the 31st of August, for the pacification of the three provinces of Biscay, Guipuscoa, and Alava. On the part of the queen in this transaction, Espartero undertook to secure to the Basque provinces, the possession of their *Fueros*, subject to the future revision of the cortes; and it was moreover covenanted, that the soldiers of the Carlist army should be immediately admitted, on application, into the service of the queen, with the rank which they had held under their former master. The Christino general pledged himself to recommend most pressing to the government the fulfilment of the overtures made in its name.

According to the subsequent

assertion of the earl of Clarendon, the negotiations which issued in the convention of Bergara, originated with the officers charged with the superintendence of the exchange of prisoners, who were unanimously of opinion, that no greater blessing could befall the country than the termination of the war. The proceedings were naturally subjected to many delays, but the Carlist chief, was, it appears, encouraged to commence the transaction by the whole, without exception, of the chiefs serving under his orders, supported by the significant intimation afforded by the mutiny of the Biscayan troops, who had become too anxious for peace at any price to be tolerant of delay. When the treaty was signed, Maroto with the battalions of Castile made their submission. The terms were no sooner generally diffused, than twenty-one Carlist battalions piled their arms, and entered unarmed into Bergara, where they received each a month's pay. They were afterwards ordered to resume their arms, and march into different quarters to await the ratification of the cortes. But a few Biscayans only complied with the direction, the remainder returned to their homes, caring little whether the convention received the sanction or not. The greater part of the Castilians took service under queen Isabella. These results, it may be conjectured, introduced no little confusion among the crowd of foreigners, monks, advisers, adventurers, &c., who were living in the Basque provinces until victory should secure them the dignities of the kingdom.

The whole of the royal road from Vittoria to Bayonne, as well as the famous positions of Arteban,

Villareal, Alava, Mondragon, Tolosa, Andoain, and Ernani, were now in the occupation of the constitutional army. Don Carlos had retired into the valley of Lecumberri; whither he summoned the remains of the disorderly battalions of Navarre and Alava. The archbishop of Cuba, with the members of the late council, fled for their lives across the frontier. His ministry was once more made up of Echevarria, Basilio Garcia, Valdespina, the most violent of the "apostolical" party.

But Espartero, having concluded the terms of the pacification, broke up from Tolosa, and led his army without interruption through a country in which for the last five years they had not set foot. Throughout Guipuscoa he was received with acclamations. Not daring to await his arrival at Lecumberri, Don Carlos withdrew into the defiles of the Bastan. From Bastan the prince fell back, with the few forces he could keep together, to Elisonda. He arrived at Urdax on the 13th, Espartero still pursuing; and on the 14th of September Don Carlos, with six Alavese and two Navarrese battalions, passed into France, accompanied by Elio and Nexin and his remaining staff. The French government assigned to him the city of Bourges for his temporary residence, and M. de Tinant, the aid-de-camp of marshal Soult was sent off to escort him thither. Upwards of 3,000 soldiers laid down their arms on the frontier. Such was the virtual termination of this calamitous and inglorious war; for although Cabrera continued for some months to maintain his ground in the central provinces, it became from that moment an ultimately hopeless struggle, and at

the commencement of the succeeding year he was himself fain to follow the fortunes of his master, and take refuge with 20,000 men in the kingdom of France.

A few days before these events we have been relating, the Cortes, whom the greater portion would appear to have been returned in the interest of the Exaltados assembled on the 1st of September. The address with which the queen regent opened the session alluded in very sanguine language to almost every topic of foreign or domestic interest. At that period it will be remembered the convention of Bergara had not been made known in Madrid. Her majesty referred in the following terms to the recent achievements of her arms. "The army of the North," said the queen, "after opening the present campaign by the brilliant operations of Ramales, Guardamino, Orduna, and Amurrio, which were followed by other operations no less ably conducted in Navarre, penetrated victoriously into the very centre of the enemy's country, where it gloriously carried the difficult positions of Villareal, Urquiola, and Areta, and is now continuing its movements with an union and an energy which promise additional victories.

"The Army of the Centre has lowered near Lucena, and with fresh glory, at Tales, the pride of a ferocious chief. If the war in Catalonia has progressed but slowly because of circumstances of a peculiar nature, it is to be hoped that the constancy and discipline of that army will soon be crowned with new victories.

"The rebel bands which infested other provinces have either failed or been exterminated, and the country is beginning to recover its former tranquillity and confidence."

The news of the pacification was received at Madrid with the greatest public rejoicings. On the 9th of September the president of the council communicated the Bergara treaty to the chamber of deputies, and announced that he should take the first opportunity to bring in a bill for the confirmation of the *Fueros* to the Basques, in accordance with the first stipulation of the convention. The chamber being not yet constituted, no steps could be taken, and the notification was therefore referred to the secretariate. The next day, however, the minister of justice presented the following project of law.

1. The *Fueros* of the Basque provinces and of Navarre are confirmed. 2. The government will lay before the cortes, without delay, and after consulting the provinces, the modifications which it will consider indispensable in order to reconcile the interests of those provinces with the general interests of the nation, and the political constitution of the monarchy. A committee was then appointed to examine the bill proposed by the government. M. Caballero read the report on the 25th September. The government were however not well satisfied with the recommendations of the majority of the committee, which went in some measure to annul the effects of the concession. They determined to make the counter-project adopted by the minority of that body a cabinet question. A few days later an amnesty bill was laid before the chambers, but Cabrera, the comte d'Espagne, comte Negri, the bishop of Leon, Palillos, Father Gill, and four others were exempted from the provisions of this measure.

On the 5th of October, which

was the first day since the opening of the cortes, that the members had assembled in sufficient numbers to form a house, M. Calatrava was elected president. They afterwards proceeded to the discussion of the *Fueros* bill. An amendment was proposed by M. M. Olonaga, Sancho, Culatrava, which was vehemently combated by the ministers. On the evening of the 6th, however, it would appear a conference was held between the conflicting parties to devise means for effecting a compromise. Before they parted. M. Olozaga consented to abandon his amendment, on the condition that the ministers should admit into the first paragraph of the bill, the words, "without prejudice to the constitutional unity of the monarchy."

On the following evening, however, in the course of a discussion conducted with great violence and personality, M. Arrazola let fall some expressions which encouraged the opposition to believe, that the minister of justice intended not to keep his engagement of the preceding evening. In consequence of this misapprehension, M. Olozaga brought forward once more his amendment, and insisted with great force on its adoption. The ministerial project was in a fair way for failure, when M. Alaix came adroitly to the aid of his colleagues by an appeal to the patriotism of the opposition. Addressing M. Olozaga, he said, that to hasten the accomplishment of peace, he could wish to see him on the bench of ministers, giving the aid of his talents to the government.

M. Olozaga replied that he was disposed to give all the aid in his power to the government.

The minister of war rising, and opening his arms, said, 'Let him come!'

M. Olozaga hastily quitted his seat, and threw himself into the arms of general Alaix.

Shouts of joy here broke forth in all the galleries, and from all the benches of the deputies, particularly those of the opposition. M. M. Sancho, Caballero, Quinto, Alonzo, Madoz, and the count de las Navas, who had most violently attacked the ministers, now went and embraced them. The deputies of the different parties embraced each other, and the public in the galleries shouted 'Peace! Union! Long live Arguelles! Long live Olozaga! long live the ministry! long live Espartero!'

M. Olozaga and the committee declared that they withdrew their amendment.

After three hours consumed in an effusion of sentiment not easy to delineate, M. M. Olozaga and Arrazola prepared and presented the bill in the following terms.

"Art. 1. The *fueros* of the Basque provinces and Navarre are confirmed, without prejudice to the constitutional unity of the monarchy.

"2. The government as soon as possible will present to the cortes, after having consulted the Basque provinces and Navarre, a project of law relative to the modification of the *fueros*, conciliating the interest of the provinces with that of the nation and with the constitution of the monarchy. The government is authorized to decide provisionally the difficulties which might arise from the charge of rendering an account to the cortes."

It passed without a dissentient voice. The president, M. Calatrava, then said—"Gentlemen,

this day makes me forget thirty years of suffering. I am more proud than ever of being a Spaniard. We have given a great lesson to the world, and to nations that pretend that Spain is not ripe for liberty."

The embracings were then resumed, and the assembly separated amid shouts of joy. The bill passed the senate on the 28d of October. The debate on the proposed address of the chamber of deputies in answer to the speech from the throne commenced on the 28rd, the annexed amendment having been previously laid upon the table:—"All our efforts will prove unavailing, if ministers have not one and the same object in view, and no administration practicable unless it be homogeneous, formed on a constitutional basis, and have in view the welfare of the country." The discussion was maintained until October 30, when the address was voted, together with the obnoxious paragraph. The Gazette of the 31st announced the prorogation of the cortes until the 20th of November. The deputies had however adopted, on the same day, in anticipation of such a measure, 90 to 3, the resolution that, "Spaniards are not bound to pay taxes for any kind of contribution, loan, or subsidy of any description, unless such shall have been previously voted by the cortes, agreeably to the 73rd article of the constitution."

Several changes took place at this period in the construction of the cabinet. M. Ximenes had already resigned the department of finance. His health had also recently compelled M. Alaix, who had rendered such efficient service to the army of the north, to tender his resignation. The

cabinet was definitively constituted in the following manner:—M. Perez de Castro, president of the council, and minister of foreign affairs. M. Arrazola, minister of justice. M. F. Narvaez, minister of war. M. José de San Millan, minister of finance. M. Montes de Ora, minister of colonies and marine; 20,000,000 reals were forwarded to Espartero.

The queen regent issued, November 19th, a decree for the dissolution of the Cortes. The motives of the cabinet were given at considerable length in the preamble, and signed by all the ministers whose names have just been mentioned. According to the 26th article of the constitution, one-third of the members of the senate were to be renewed, and the chambers were directed to meet again on the 18th of February, 1840.

PORTUGAL. The government had determined to convene the Cortes before the day appointed by the fundamental law, in order to obtain their authority for the collection and application of the public revenue for the ensuing year. The extraordinary session was therefore opened on the 9th of December, 1838, by the queen in person. Her majesty expressed a hope that the negotiations pending with Rome would very shortly issue in the restoration of those relations which had for so many ages existed between her august predecessors and the Holy See. With regard to the subject of the slave trade, her majesty expressed her regret that it was not yet in her power to announce the conclusion of the treaty with Great Britain for the suppression of the traffic; the day, however, she trusted, was not far distant when a definitive arrangement would be

made. With France, also, negotiations were in progress with the same object. The interests of the nation, continued the queen, required the total extinction of that infamous traffic, which, in our African provinces, impeded civilization, and rendered the propagation of the gospel impossible. Turning to the important topic of finance, the queen assured the chambers that the prospects of the national revenue were of a nature to inspire great confidence among the public creditors. The anticipated securities that weighed so heavily upon the most important branches of the public income were now in a great measure redeemed, and bade fair, before the close of the year 1839, to be discharged altogether. The increase, moreover, of the grant to the board of public credit, had hitherto enabled it to satisfy the greater part of its liabilities, and it was hoped that, in a short time, not only would the creditors of the consolidated internal debt be secured the punctual payment of their interests and annuities, but the government would have in hand ample resources for new operations, wherein the just demands of the other creditors to the state would meet with attention. Adverting to another matter, in which the national faith was deeply pledged, her majesty observed, that it had been found impossible to discharge the dividends of the debt contracted with foreign powers since the first half of the year 1837. The competent minister would, however, present, if possible, to the house on an early occasion a proposal for the punctual redemption of this liability.

A committee was then appointed to examine the legality of the

diplomas of their several colleagues, as well as a second committee to scrutinise the powers of the first. The Septembrists and Chartists appear to have been about equally represented in these bodies. Great anxiety was exhibited to bring their labours to a termination, in order to make way for the paramount exigencies of the state; and the report was accordingly laid upon the table on the 26th of December. The only elective district unaccepted, was the city of Braga.

In the meanwhile, the delay occasioned by these preliminaries having prevented the constitution of the Extraordinary Cortes for the purpose for which they were assembled, the government was authorised by a royal decree to continue the collection of the public rents until the ordinary Cortes should make legal provision for the same. The extraordinary session was closed by commission on the 2nd of January, and the opening of the regular Cortes directed to commence immediately thereupon in virtue of the 42nd article of the political constitution. The chambers then proceeded to the discussion of the report of the committee on elections, which, after a debate of some days' duration, was eventually passed.

It was not till the 23rd of February that the long debates upon the address were brought to a conclusion. The principal political attacks were, as usual, directed against the minister of war, M. de Bomfim, but the count defended himself to the satisfaction of the chambers, and the measures of the ministers obtained, in consequence, upon every point, a majority. They did not, however, long retain the support of the chambers. On

the 27th of March a motion was brought forward for the purpose of fixing the future numerical force of the standing army. The number proposed by ministers was 27,000. A division took place, on which occasion they were unexpectedly left in a minority of 20. The opposition desired to lower the amount to 15,000; but it was ultimately fixed, on the motion of M. Silva Pereira, brother of count das Antas, at 21,000, 6,000 of whom were to be considered as absent on leave. In consequence of this discomfiture, the cabinet resigned *en masse*.

After a crisis of some duration, the new ministerial arrangements were at length concluded without the necessity of closing the cortes. On the 16th of April the queen sent for the baron Ribeira de Sebroza. After pointing out the impracticability of effecting a coalition, he was honoured, it appears, with a *carte blanche*. He succeeded, on the same day, in the construction of a cabinet taken entirely from the left or septembrist side of the chamber. The noble premier, who was also the minister of war, undertook, *ad interim*, the charge of the foreign office. Gomez da Silva Sanchez became minister of the interior, Cardoso da Cunha e Araujo, minister of justice and ecclesiastical affairs, Manuel Antonio da Carvalho retaining the portfolio of finance.

M. da Carvalho, after much opposition, obtained sanction of the cortes to raise a loan of 1,400 contos do reis (320,000*l.*) to cover the deficit of the last year, in the shape of a vote of confidence, by mixed operations of government scrip and cash. The budget was hastily gone through on the 22nd of July, after a sitting of nine

hours, and approved by the senate on the following day. The sum granted to the government for the expenditure of the next year was 11,500 contos de reis. The project for the payment of the interest on the foreign loan was deferred for a future period, although it appears that the premier and the minister of finance were sincerely desirous to have the law for consolidating the debt passed by the chambers before they finally rose. The session was, however, closed by commission on the following day.

In another part of our volume, we have already given some account of the bill which Lord Palmerston found it advisable to bring into parliament, for the furtherance of the suppression of the slave trade carried on under the Portuguese flag, in consequence of the recent ultimate failure of the long negotiations which had been entertained with the government of Portugal on the subject. The bill, on its arrival, created no little dissatisfaction in Lisbon, and the author of the measure was loudly charged with hostility to Portugal. A great estrangement prevailed during the whole year between the government of the queen of Portugal, and the British cabinet, who would indeed appear to have had but too good grounds for dissatisfaction.

The cabinet of M. de Sabrosa was not destined to outlive the year. On the 26th of November they were superseded by the fol-

lowing gentlemen:—the count de Bomfim, president of the council, and secretary at war; Costa Cabral, minister of justice; Antonio da Fonseca Magalhaes, minister of the interior; viscount da Carreira, minister for foreign affairs; count de Villa Real, minister of the marine; Pereira Ferraz, finance minister.

The queen, it is believed, was compelled to change her advisers in consequence of the demand made by the British upon the Portuguese government, for the payment, not only of the expenses incurred by the British commissariat on account of Portugal in 1826, but also for the immediate payment of the long pending civil and military claims due to the subjects of Great Britain. Among these were the arrears of half-pay due to the officers who had served in the Portuguese armies during the Peninsular war, with the pensions of the duke of Wellington, Viscount Beresford, &c.; amounting, with the interest at 5 per cent., to 375,475*l*. The requisition was, it is said, accompanied by a menace that, in the event of a non-compliance, the British government would think it necessary to resort to measures more stringent than negotiation.

The new ministerial arrangements would appear to have given satisfaction. Like their septem-brist predecessors, they thought it necessary to avow their determination to maintain the integrity of the constitution of 1838.

CHAPTER XVIII.

BELGIUM.—*Territorial Question—Territorial Provisions of the 24 Articles—Summary of the previous conduct of the two States in relation to those proposals—Determination of the Five Powers—Their Protocol of Dec. 6, with the appended Notes—24 Articles presented as their ultimatum, with certain modifications—Consequences of a refusal stated on the part of either Kingdom—Accession of France to the Decree of the Conference—Holland accepts the Treaty—Belgian Foreign Minister recommends the adoption in the Chamber of Deputies, and submits a Project of Law enabling the King to accede to the Articles—Motion referred to the Sections—Favourable report of the Central Section, who submit a Bill—Long and vehement debates in the Belgian Chambers—The Bill is finally carried, and afterwards passes the Senate.*—**HANOVER.**—*Assembling of the States General—Proclamation of the King annulling the Constitution of 1833 in favour of that of 1819—Statement of the reasons for this Measure—Creation of New Council of State in place of the Old Privy Council—Its Constitution—Speech of the King on the opening of that body—Chambers of Hanover protest against the Constitution of 1819—They are prorogued, and convoked for the 28th of May—Proclamation of the King—Final Judgment of the Diet, by which the Constitution of 1833 is annulled and that of 1819 declared to be in force—The Diet persist in declining to interfere in the arrangement of the Constitution between the King and the States—Effect of this decision—In consequence of overtures from the States, the King appoints a Commission to submit proposals for their consideration on the subject.*—**TURKEY.**—*Martial Preparations of the Sultan for invading Syria—Proceedings of Ibrahim Pasha—Efforts of the European Powers to prevent hostilities between the parties—Proposals of Mehemet Ali—Sultan determines to proceed—The reasons alleged by him for going to war—Declaration read in all the mosques—Fleet weighs anchor—Address of the Sultan on board the admiral's ship—Troops of the Sultan move upon Syria—Advance of Ibrahim from Aleppo—Battle of Nezib—Utter rout of Seraskier—Mission of M. Caillier—Death of the Sultan—He is succeeded by his Son Abdul Nedgib—Kosrew Pasha becomes Grand Vizier—Other Cabinet changes—Recal of Hafiz Pasha—Treachery of the Capitan Pasha, who carries the Fleet to Alexandria—Proposals of the Sultan to the Pasha of Egypt—Reply of the Pasha—Mehemet Ali's Circular to the different Pashas of the Empire—Note of the Ambassadors.*

sadors at Constantinople to the Sultan, proposing to undertake conjointly the discussion of the Eastern question—Circular of Marshal Soult—Sanctioned by the other Powers—Proposed conference at Vienna—Refusal of Russia to send a representative—Conference removed to London—Mission of M. Brunow—M. Pontois succeeds Admiral Roussin as French Ambassador at the Porte—Promulgation of the celebrated Hatti Sherif of Gulkhaneh.

THE close of the year 1838 left the territorial differences between BELGIUM and HOLLAND still unadjusted. The troops of the litigant parties continued to assemble on the disputed frontiers; an army of observation had already been dispatched in the same direction by France, whose opinion had been less clearly pronounced on the question than that of the remaining powers; while Prussia, the other *limitrophe* state, made on her side similar dispositions, and was preparing to call out the Landwehr of the Lower Rhine.

The question was, however, in train for its final solution. But before we give an account of the manner in which the point in dispute was at length adjusted by the conference of London, with the reluctant concurrence of the Belgian nation, it may not be out of place to recal to the mind of the reader the territorial arrangement proposed by the treaty of the 24 articles, to which Belgium had already acceded on the 14th of November, 1831, and which still constituted the ultimate proposition made by the conference to that power, now that she had in her turn refused to come into the stipulations which had been so long rejected by the king of Holland.

The first article, then, of the treaty of London declared that the Belgic territory should be composed of the eight provinces of South Brabant, Liege, Namur, VOL. LXXXI.

Hainault, East and West Flanders, Antwerp and Limburg, as they formed part of the late kingdom of the Netherlands, with the exception of that part of Limburg which was afterwards given to Holland by article 4, and also of the portion of Luxemburg indicated in article 2.

The second article divided Luxemburg by a line drawn from the French to the Prussian territory, across the grand duchy, a little to the east of Arlon and Bastogne. The portion to the east of this line, comprising about two-fifths of the territory of the grand-duchy, the city and fortress of Luxemburg, and 160,000 inhabitants is assigned to Holland; the remainder, lying west of the line, to Belgium.

It was declared in the third, that, for the cession made in the preceding article, the king of the Netherlands, grand duke of Luxemburg, should have a territorial indemnity in the province of Limburg.

Accordingly, the fourth article gave to the king, either in the quality of grand duke of Luxemburg, or to be united with Holland, the following portions of Limburg: viz. on the *right* bank of the Meuse, in addition to the ancient Dutch *enclaves*, the whole district comprised between the Meuse on the west, the Prussian frontier on the East, the province of Liege on the south, and Dutch Guelders on the North; and on the *left* bank of

the Meuse, the district lying north of a line drawn from the southernmost point of North Brabant to the Meuse near Stevenwardt. The ancient Dutch *enclaves* on the *left* of the river were to belong to Belgium, except the city of Maestricht, which was to be made over in total sovereignty to Holland. The population of the portion of Limburg thus assigned to Holland, was 185,000; it includes, besides Maestricht, the fortresses of Ruremonde and Venloo.

It was provided by the fifth article, that the king of the Netherlands should come to an understanding with the Germanic confederation and agnates of the House of Nassau, as to the application of the stipulations contained in the articles 3 and 4.

By means of these exchanges, it will be observed, that the treaty gave Holland a means of direct communication along the Meuse from Venloo to Maestricht, and a contiguous line of frontier between Belgium and Prussia. It was, however, stipulated on behalf of the latter power, that she should continue to have a free transit to Germany, both by the existing roads, and any other she might afterwards make.

The treaty was submitted to the Belgian legislature, and carried by a majority of 59 over 38. The law passed Nov. 7, 1831, and the convention was accordingly formally concluded between Belgium and the five courts. No endeavours, however, could prevail upon Holland to accede to the agreement, and Belgium requested the conference to compel her compliance by the application of coercive means. The proposal was entertained by the conference on the 1st of October, 1832, and it is

accordingly recorded in the protocol of that date, that the plenipotentiaries of France and England, recognising that a duty remained to be performed by them, proposed to the other powers, parties to the conference, to compel the adherence of Holland to the 24 articles. The plenipotentiaries, however, declared that they could not associate themselves in any forcible measures, and this led to the dissolution of the conference. They were not prepared, it appears, to go further than to permit Belgium to deduct her war expenses from monies due to Holland. This proposal failed to satisfy the two former powers, who accordingly entered, Oct. 22, 1832, by themselves, into a convention for the employment of more stringent expedients. They laid, as the reader may remember, an embargo upon Dutch vessels, blockaded the Scheldt, and by the second intervention of a French army, restored to Belgium the citadel of Antwerp.

By the convention of May, 1833, the territorial question was placed upon the basis of *uti possidetis*, until the conclusion of a definitive treaty; the rivers, in the meanwhile, were opened to navigation, freedom of land communication established; and this provisional state continued until the year 1838, when, as we have already related in our last volume, the question was again brought before Europe by the king of Holland.

These conventions left the king of the Belgians in the temporary occupation of the *whole* of Luxembourg and Limburg. It was therefore not unnatural for him to exhibit some reluctance to fulfil the terms which Holland had for

five years refused to sanction, but was at length disposed to ratify, at a time when his precarious kingdom had become consolidated, and the districts had been so long, with however invalid a title, in his peaceable possession. The arguments alleged on either side have been already stated in our preceding notice. We may, however, make the observation which was ably maintained by count Molé in his early conflicts with the coalition in the Parisian chambers, that whatever reason Belgium might have to consider the treatment pursued towards her as hard under the existing circumstances, she could have no pretence for releasing herself on that account from obligations formally contracted with the five powers, should they persist in holding her to the rigorous performance of those engagements.

The ultimate determination of those powers may be collected from the following analysis of the protocol, with the appended notes, which was drawn after the conference of Dec. 6, 1838. The papers will be found at length in our appendix. In the minute in question, after acknowledging the reception of the note (A) in which the Austrian and Prussian ambassadors, acting as agents for the Germanic Confederation, call the attention of the three remaining ministers to certain documents published at the opening of the session at Brussels, which gave evidence, they conceived, of a disposition to refuse the restitution of certain portions of territory, secured by a solemn treaty to the Germanic confederation, the representatives of the five powers place upon record, that in consideration of the negotiations in

which they had been engaged subsequently to the overtures made, March 14, by the king of Holland, they had resolved to propose to the contending parties the modified treaty (B) for the speedy consolidation of the general peace. They further observe, that the subjoined draughts (C and D) of the two notes intended to be presented as final proposals to the plenipotentiaries of the Netherlands and Belgium, with the annexed draughts (E F G) of treaties to be concluded between the five powers and Holland, between Holland and Belgium, and between Belgium and the five powers, had received the sanction of all the plenipotentiaries with the exception of the French minister, who had however, taken the documents *ad referendum*. A hope was moreover expressed that the French cabinet would see the advantage of co-operating in the same peaceable intentions, by enabling its representative to agree to the proposed arrangement.

The first of these notes contained, as we have mentioned, the protest on the part of the agents of the Germanic Confederation. The second was the proposed treaty of twenty-four articles, which, as will be seen, on referring to the appendix, had undergone no modification in respect of the territorial question. The principal alterations effected, were certain new regulations relating to the navigation of the Scheldt, and the reduction of the Belgian share of the debt to 5,000,000 florins. In the two next instruments, designated as C and D, communicating to the two parties interested the adjustment proposed by the conference, the plenipotentiaries also state what the consequences would be

of the refusal on the part of either government to accede to the terms in the event of their being accepted by the others. If, say they, (C) the cabinet of the Hague should refuse the above conditions, while Belgium accepted them, the undersigned, though deploring their not having effected an arrangement, by means of conciliation, would nevertheless continue to watch in common over the maintenance of peace between the two countries. If, however, (D) the cabinet of Belgium should reject the said proposals, while Holland accepted them, it would only remain for the powers represented in the conference to decide on the means for enforcing the rights which the king of Holland would have acquired.

A note was subsequently presented by Belgium, Jan. 14, proposing to pay the sum of 60,000,000 francs for the territory to be restored to Holland, but the decision of the Germanic Confederation did not allow the overture to be taken into consideration. The same protocol of Jan. 23, 1839, which makes known this circumstance, takes account of the adhesion of the French plenipotentiary to the minute of the 6th of December.

The determination of the French government, when it became known, was, of course, a heavy blow to the party in Belgium, who continued to build their hopes upon the countenance of France, and the support of the numerous party in that country, who, already deeply disgusted with the system of non-interference pursued with regard to Spain by the cabinet of M. Molé, and the recent withdrawal of the French troops from Ancona, professed to behold in the abandon-

ment of Belgium the consummation of national dishonour.

The cabinet of the Hague accepted the proposals of the 23rd of January on the 4th of February, 1839. The secretary for foreign affairs observed, Feb. 18, in the Belgian chambers, with reference to this decision, that so long as it was not absolutely certain what part the king of Holland would adopt, there was room, however small, for the endeavour to obtain a more favourable result. The question, however, was now materially altered. The plenipotentiaries had now declared, that the assent of the government of the Hague made them consider the negotiation as closed with regard to the king of the Netherlands. It was, therefore, impossible for them to entertain any new proposals, or admit the project for a money commutation presented by the Belgian government. With these facts before them, said the foreign secretary, the government had become convinced that they could not, with safety, refrain from asking the consent of the chambers to subscribe to the proposals of the 23rd of January, in which the clauses of the treaty of Nov. 15, concerning the territory, were repeated. They deeply lamented the failure of all their efforts on this important point; there was, however, no alternative but to acquiesce, or to take up a position of fruitless hostility to the five powers, who had again bound themselves by formal conventions. The minister then went at a considerable length into a recapitulation of the negotiations of the preceding years. He spoke of the important reduction of the quota of the debt imposed on Belgium, and observed, that, with re-

spect to the toll on the Scheldt, there was nothing to prevent them from requiring from Holland a fixed annual sum, while the reduction of the military establishments, and the increase of commerce, would abundantly compensate for the burthen of the river toll. The minister concluded by proposing two projects of law—1. To authorise the government to sign the proposed treaty, and 2. to allow such inhabitants of Limburg and Luxemburg as should choose to emigrate and settle in Belgium, the rights of Belgium subjects.

After a violent debate, the project of laws was at length referred to the sections. An analysis of the votes in the different bureaux, show that the treaty was adopted by a majority of forty-two over thirty-nine out of the ninety-eight members composing those bodies. Seventeen abstained from voting. M. Dolez delivered, Feb. 28, the report of the central section. It concludes in the following manner:—"Consequently, and always declaring, that it has only bowed to the empire of necessity, the central section has the honour of proposing to you the adoption of the project of law, which you will find with the modifications which it submits:—

"Considering that by their act, under the date of the 23rd of Jan. 1839, the plenipotentiaries of the five powers, united in conference in London, have submitted to the acceptance of Holland and Belgium the basis of the separation of the two countries (see article 68 of the constitution, and the law of the 7th November, 1831), we have in conjunction decreed, and we order as follows:—

"Only article. — The king is authorised to conclude and sign

the treaties which regulate the separation between Holland and Belgium, in conformity with the said acts dated 23rd of January, 1839, under the conditions and reservations which his majesty may deem useful or necessary to the interests of the country."

The debate commenced on the 4th of March, and was maintained for more than a fortnight with unprecedented vehemence. The bill, however, eventually passed into law. At the *appel nominal*, M. Gendebien, the champion of Luxemburg, cried out "No!—380,000 times no! for that is the number of my fellow-countrymen who are to be abandoned." The hon. gentleman afterwards handed to the president a letter communicating the resignation of his seat in the chamber of representatives. He then retired, and received, it is said, with emotion, the adieux of his colleagues, of whom several burst into tears. The vote was carried by fifty-eight voices against forty-two. There was, therefore, only one absentee from a house which had been reduced by the death of M. Beckaert to the number of 101. Two members were brought at the last moment in litters, dangerously ill, to vote on opposite sides. The senate soon after gave its consent to the bill, and thus this protracted question was brought at last to a conclusion.

The general assembly of the estates of HANOVER met on the 15th of February. On the same day the king put forth a long proclamation respecting the constitution of the kingdom. In order, says his majesty, not to leave our faithful subjects in uncertainty regarding the motives of our resolution in respect to the constitution,

we have been pleased to issue the following further declaration:—

“The legal representative constitution of our kingdom was settled by the royal letters patent of the 7th of December, 1819, and was carried into effect on the 29th of that month.

“The concluding act of the Vienna Congress of the 15th of May, 1820, an organic law of the German Confederation, served as a guarantee to this constitution; for this law enacts that the representative constitutions actually existing and recognized invalid cannot be allowed except in a constitutional manner.

“The constitution of the 7th of December, 1819, underwent some changes in a constitutional manner in the course of time, and till the year 1833.

“But the change made on the 20th of September, 1833, was entirely destitute of the constitutional form.”

The document in question then proceeds to show that the constitution of 1833 was, *ab origine*, invalid on the ground so repeatedly adduced, that it was not agreed upon in accordance with the provisions of the Germanic Confederation by the king and the estates, but that the draught approved by the estates, and sent to the late king for his approbation, had been changed by his majesty's sole authority, in many essential points, and carried into effect without the concurrence of the estates in those alterations. It therefore followed that neither the new constitution, nor the estates assembled under its enactments, rested upon any legal foundation. The assembly had, it was true, Dec. 17, 1833, passed a vote of thanks for the constitution of Sept. 26 of the

same year, but that body did not, in point of fact, possess the power to remedy a nullity in which its own powers were included.

Party rights, pursued the king, were out of the question. It did not relate to a dispute on the limits of the powers of the crown and the estates. No intention existed to intrench upon those privileges. In returning so soon as the care of the kingdom was committed to his hands, to the only constitution which stood upon a legitimate basis, the king had but exercised his own rights, and performed an imperative duty to his subjects.

The proclamation then proceeded to shew, that besides the formal preliminary grounds of nullity, the constitution had been found to exhibit other material defects which equally called for a remedy—inadmissible infringements of his organic rights, and violations of the principle laid down by the laws of the confederation of the indivisibility of the supreme power of the state, and concluded by ordering a discussion of the several points alluded to.

A message was simultaneously issued to the assembly of the estates, declaring that the draught of the constitution, presented in the last year, was withdrawn, and the constitution of 1819 alone to be considered in force.

A few days before the transactions to which we have been alluding (Feb. 1), the long expected royal cabinet order for the dissolution of the board of privy council, and the formation of a council of state in its room, was officially promulgated. By the provisions of this ordinance, the council was to consist (1) of the princes of the blood, (2) ordinary members by

virtue of their office, (3) extraordinary members by virtue of the king's appointment. The latter, however, were only to attend the sittings *in pleno*, upon the especial summons of the president. The council was distributed into the *plenum*, in which it was necessary for eleven members to be present, and into four sections of (1) justice, and the interior, (2), ecclesiastical affairs and public instruction, (3), finances and trade, and (4), military affairs. The king would preside in person, whenever he might think it necessary. On other occasions, he was represented by the president, the prince Bernhard of Solms Braunfels.

His majesty shortly after opened the Staats-Rath, in an address which set forth the motives which had operated in its formation. "You are in possession," said king Ernest, in conclusion, "of the principles on which I trust the Staats-Rath will act; and as I have chosen men of all ranks and professions, I hope that every case sent for your examination and opinion, will be considered seriously and soberly, and that you will give me your free and honest opinion, laying aside all party feeling, and keeping in mind, that my object is to do all in my power to increase the happiness and welfare of the people, over whom it has pleased the Almighty to place me."

In the mean time, it appears, that the first chamber of the estates of Hanover, had, as well as the second chamber, protested against the constitution of 1819, by a majority of 19 against 13 of its members. They were, in consequence, prorogued, March 2, until the 28th of May. In the interval, it was announced, May

3, in another of those numerous manifestoes, which appear to form his majesty's principal occupation, that the approaching session of the two houses, would be of short duration, their presence being chiefly required to pass the budget, and effect a further reduction of taxation. It was moreover stated, that in case the assembly should think fit to appoint a committee to examine the propositions of Feb. 5, relating to the separate management of certain public funds, and the establishment of the college of the treasury, the committee would receive directions to complete its labours during the summer recess. The king was further pleased to declare, with regard to a desire which, he was informed, was once more exhibited in different parts of the kingdom, for the extension and completion of the constitutional arrangements of the royal patent of Dec. 7, 1819, that although nothing could happen to neutralise the motives which dictated the resolution of Feb. 15, of the present year, nevertheless, if the two chambers, in the expression of this disposition, should think fit to address to his majesty propositions framed in the intention of concurring in the preservation of a constitutional arrangement, useful to the country in a calm and regular deliberation, the king would willingly take into consideration an indication to this effect.

An important portion of the question at issue between the king and his estates, was finally set at rest on the 26th of August, by the following resolutions, which were adopted by the Germanic diet:—

1. The constitution of 1833 no longer exists.
2. The constitution, as it ex-

isted before 1833, is recognized by the diet as the basis of public law in our country. With respect to the estates, the royal patent of the 7th of December, 1819, is in force, together with the alterations and additions made before the publication of the constitution of 1833.

3. The assembly of the estates, which was summoned last year, according to the patent of the 7th of December, 1819, and its modification, is expressly declared to be competent.

The diet, however, still persisted in declaring, that there were no grounds for its interference in the construction of the Hanoverian constitution; although it expressed a hope that the king would effect an adjustment should it be compatible with the rights of either party. This decisive judgment having put an end to the misgivings which were entertained with regard to the validity of any arrangements, which might be subsequently concluded by the king with the estates convoked under the ancient constitution which had been promulgated by him, there was occasion for expecting that the prevailing desire for an ultimate settlement, would soon be fulfilled, a matter which, it would appear, presented the greater probability of such a solution; inasmuch as the invitation made by the king in the late manifesto of May 3, had been met, on the 15th of June, by a proposal on the part of the states which had induced his majesty to appoint a commission to draw up the necessary preliminary propositions, which it was, he observed, his intention to communicate with the greatest attainable dispatch to the general assembly.

TURKEY.—Since the compromise effected at Kutahieh, in 1833, by

the intervention of European influence, between the sultan and the victorious general of the armies of the pacha, no great event had occurred to break the tranquillity of the eastern world. The year, however, whose annals we are now recording, opened with prospects of a much less pacific character. The pacha of Egypt, it will be remembered, had already, in 1838, made a virtual declaration of independence, by his refusal to pay for the future any further tribute to the Porte, and this announcement together with the usurpation on the part of Mehemet Ali, of attributes peculiar to the commander of the faithful alone, had apparently determined the Sultan, notwithstanding his severe infirmities, to make one more effort for the reduction of so formidable a vassal. His preparations were completed towards the beginning of the present year, and a large army with an immense *materiel* was assembled on the eastern bank of the Euphrates, which menaced the Syrian dominions of the pacha. Ibrahim, on the other hand, proceeded to concentrate his forces around Aleppo, with instructions from his father, to take heed not to become the aggressor.

These proceedings were of a nature to attract the notice of the European powers; the government of France and England, in particular, were apprehensive, lest the eventual discomfiture of the Turkish army, an event by no means improbable, should be followed by the arrival of a Russian force in the Bosphorus, in accordance with the stipulations of the treaty signed on an analogous juncture at Unkiar Skelessi—a convention, it may be remembered, which made over to the last mentioned power the

almost exclusive protectorate of the Ottoman empire, by giving to Russia the right of sending an armament into the Bosphorus, whenever the exigencies of the Turkish empire, should again demand her assistance, while the Dardanelles were still to remain inexorably closed, against the vessels of war of all other nations.

They, therefore, directed the representatives of their respective courts at Constantinople, and the consuls at Alexandria, to make every effort to prevent the interruption of the existing state of affairs. In consequence of their representations, the viceroy addressed a circular note to the consuls-general of the four powers, pledging himself that "in case the troops of the sultan, who had just crossed the Euphrates, near Bir, should retire to the other side of the river, he would order his own army to execute a retrograde movement, and recal his son Ibrahim Pacha to Damascus. Further, in the event of this pacific demonstration being followed by a similar retrograde movement on the part of the army of Hafiz Pacha, beyond Malatieh, his highness would enjoin the generalissimo to return to Egypt.

Moreover, his highness, the viceroy, added of his own accord, "that in case the four powers consented to guarantee the continuation of peace, and interest themselves in retaining the hereditary reversion of the government to his family, he would withdraw a portion of his troops from Syria, and be ready to conclude a definitive arrangement conducive to the wants of the country, and calculated to guarantee its security."

The sultan, however, gave no evidence of a disposition to recede.

In the course of a conference which took place towards the beginning of June, the English and French ambassadors were made acquainted with the circumstances which had made it imperative on his master to wage war upon his rebellious vassal. A similar communication was subsequently addressed to the ministers of Austria and Russia. The reasons put forward, were "the usurpation of the Sultan's sacred right as caliph, and first iman of Islamism, and of the administration of the holy cities of Mecca and Medina." Being reluctant, however, to take upon himself the whole responsibility of a war on these grounds, the sultan referred the matter to the interpreters of the law, who declared, with one consent, that it was the duty of every true believer to take up arms against an impious usurper, and on the 8th of June, a manifesto was issued, by which the viceroy of Egypt, and his son, Ibrahim, were deprived of all their functions and dignities, and Hafiz Pacha, the generalissimo of the Ottoman armies appointed to succeed Mehemet Ali in the government of Egypt.

A solemn declaration of war was accordingly read in all the mosques, and the fleet, consisting of thirty-five sail in all, weighed anchor on the 9th of June. The admiral was directed, after taking in reinforcements at Gallipoli, to make at once for the coast of Syria, and effect a disembarkation with the numerous troops, with which the decks were crowded, in the expectation, it was said, of creating an insurrection among the Syrian population. The sultan, whose energy was not abated by personal suffering, repaired on the occasion, on board the admi-

ral's vessel, and exhorted the principal officers of the fleet, in a very impressive allocution, to perform their duty. It had been his intention, he observed, to have accompanied the armament as far as the Dardanelles, thereby to give a greater proof of his reliance on the devotedness of his officers and crews, but the state of his health forbade it, he was obliged to land at Cape St. Stephano.

We now revert to the movements of the respective armies in the east. The advanced guard of Hafiz Pacha, consisting of about 3,000 cavalry, had already crossed the Euphrates, and taken up a position at Bir, on the western bank. In the beginning of June, however, the Seraskier appears to have made a move with his main army upon the Syrian frontier. Upon these indications, the Egyptian generalissimo broke up from his position, and being joined by the forces of Soliman Pasha (colonel Selvas), marched to meet the sultan, a measure which was rendered, it is said, more necessary by the apprehension that the further progress of the troops of the sultan into Syria, might be followed by the open revolt of the people, who had been already profoundly alienated by the oppressive exactions of the Egyptian government.

The march commenced on the 20th of June. In the course of the two following days, several skirmishes took place between the Egyptian troops and the cavalry of the sultan, who were somewhat in advance of the Ottoman army, continuing, however, to fall back before the cannonade of the Egyptians, until the main armies halted finally in presence of each other, near Nesib, on the 24th of June.

They were each between thirty and forty thousand strong.

Finding the position of the sultan too strong to be attacked in front, Ibrahim endeavoured to turn it. He, therefore, advanced towards the left by a flank march, to get behind it, and fall upon the rear of the right wing. The manœuvre was successful. After a battle maintained with great carnage for more than four hours, the Turkish army was utterly discomfited. Leaving behind him, the whole *materiel* of the expedition, cannons, muskets, and ammunition, the unfortunate Hafiz fled with the relics of his army across the frontier. The despatch of Ibrahim is dated from the tent of the Seraskier. Of the Turkish army 6,000 men were killed or wounded, and 10,000 prisoners were left in the hands of the Egyptian general, together with 15,000 muskets and 104 pieces of artillery. He eventually passed over the Euphrates and established his quarters at Marasch. Soliman Pasha proceeded to Orfa. Hafiz collected the remnant of his men at Malatiah.

A few days before the decisive event which we have related, M. Caillet an aid-de-camp of marshal Soult arrived at Alexandria with instructions to follow the march of the army and render an account of the event. M. Folz, another officer, had been simultaneously despatched with the same unofficial character to Constantinople. On leaving Alexandria M. Caillet offered to carry to the commander in chief the directions of Mehemet Ali. M. Caillet set out on the 20th of June. To his great disappointment, he soon discovered that a decisive engagement had already taken place.

When therefore he arrived, four days after the action at the camp of Marasch, he found Ibrahim over elated with his victory, and had some difficulty in persuading him to comply with the directions of his father, which commanded him to halt, wherever he might be, on the arrival of M. Caillet, and await the issue of the arrangements undertaken by the great powers. The relations of M. Caillet with the gallant marshal at the head of the foreign office, would obviously give to his exhortations in connection with the representations of the consul general, a greater weight than would attach to the counsels of a person who came in a more unquestionably private capacity; it would not however appear that the whole responsibility contracted towards the pasha of Egypt by the arrestation of the march of his victorious son rested upon the French cabinet. It is supposed, that Mehemet had already made the concession to the instances of more than one European power that he would not permit his son in any case to pass beyond the districts of Orfa and Diarbekir. Nor did the French cabinet apparently commit themselves to the offer of any conditions to the viceroy as the price of this compliance.

The fatal tidings of the utter rout of his whole expedition, was never destined to reach the ear of the commander of the faithful. On the 1st of July, sultan Mahmoud the second, died in the fifty-fourth year of his age, and the thirty-first of his reign. The government of an empire which required so able a director, fell, by his demise, into the frail hands of his son, Abdul Medjid, a mere youth of seventeen. The death

of Mahmoud was followed by the following changes in the Ottoman ministry. Kosrew Pasha former president of the council of state, was appointed grand vizier. Halil Pasha was made seraskier or generalissimo, and director of the war department. Reouf Pasha became president of the council. Chekib Effendi was made director of the commercial relations with Europe. And Mahir Bey director of the foreign department. These alterations were shortly followed by the recall of the ambassadors at the courts of St. James, the Tuilleries, Berlin, and Vienna, with a view, it was said by some, of reforming the whole corps diplomatique of the empire; others, however, were of opinion, that the measure had been taken in order to strengthen by their influence the enlightened party who were menaced by the partisans of janis-sarism.

The first act of the new sultan, after ascending "the throne which divine predestination had left vacant," was to forward to the viceroy of Egypt with the sole view, as was said, of sparing the effusion of Mussulman blood, an offer of pardon together with the hereditary possession of the province of Egypt, on the condition that he fully conformed to his duties of obedience and submission. At the same time the grand vizier in ignorance of the calamitous event, sent orders to the seraskier of the East to suspend the march of the imperial army, and detained the fleet within the Dardanelles. These measures were communicated by Kosrew Pasha to Mehemet Ali.

But before Akiff Effendi could bear the note to Alexandria, the deeply shaken throne of the youthful Abdul Medjid was assailed by

another severe disaster. Instead of observing the instructions of the grand vizier, Achmet the capitan pasha set sail for Alexandria, after issuing a declaration in which he charged Kosrew with being a traitor to his late sovereign, whose death he said the vizier had concurred in bringing about. This act of Achmet was made known by a messenger to Mehemet Ali on the 9th of July. On the 13th the treacherous capitan arrived in his admiral-ship, and was followed the next day by the whole fleet. The viceroy was moreover by this time in possession of the news of the victory of Ibrahim at Nezib. He was therefore entitled to negotiate with the Porte upon higher ground than he could have been presumed by Kosrew to occupy before the two last events were known to have taken place.

The tenour of the reply of Mehemet Ali is to be gathered from a letter communicated by him to the European consul at Alexandria, in answer to the communications made to him by the ambassadors of the great powers at Constantinople. In this instrument he declares, that it was his intention to forward immediately a letter of congratulation and submission to his master Abdul Medjid. He purposed, at the same time, to represent to the grand vizier that the late sultan had already made propositions of a much more advantageous nature, including the hereditary reversion of Syria, Sayd, and the Sandjak of Tripoli, as well as the perpetual possession of Egypt. Under existing circumstances he demanded the hereditary right to Egypt, Syria, and Candia, all the dominions in fact which were now in his hands. Upon these conditions the viceroy

would become the most faithful servant of his highness, and prepared to defend him upon all occasions. A sense of propriety, he informs the consul, had prevented him from making any allusion to the fleet in the letter to the vizier, he begged however those gentlemen to assure the ambassadors at the Porte that he had no design to employ it against the sultan, and was formally determined to deliver up the vessels so soon as the terms proposed by himself should have been complied with. He declared moreover, that in case the sultan should accede to his petition, and remove Kosrew Pasha, he would, on the first invitation, repair to Constantinople on board a single steam-boat, in order to make his dutiful submission to the sultan his master. "Finally" said he "if my proposals be not attended to, I shall not wage war but merely maintain my present position and wait."

At the same period Mehemet Ali addressed a circular to all the pachas of the Empire, as well as to the mother and aunt of the sultan, the Sheik-al-Islam, and Halil pacha requesting their co-operation for the dismissal of Kosrew pacha from the administration, in order to preserve the peace and security of the empire. The intrigues of this minister, he observes, were the cause of his troops being attacked by the imperial forces. When the present sultan came to the throne, he had ordered Ibrahim not to pursue his successes, but the tidings of the elevation of Kosrew to the office of grand vizier had operated upon the capitan pasha in the same sense in which they had affected himself, and the fleet had been withdrawn from the power of a

man whose ascendancy was felt to be disastrous to the empire, and united with his own in order that both might be in a condition to serve the sovereign and the nation.

It would appear that the divan were disposed to accede to the propositions of Mehemet Ali, and were even on the point of dispatching a minister plenipotentiary to Alexandria, when the ambassadors of the five great powers presented, on the 27th of July, to the Ottoman Porte the following collective note:—"The undersigned received this morning instructions from their respective governments, in pursuance of which they have the honour of informing the Sublime porte that the five powers have agreed to discuss and settle together the Eastern question. They accordingly invite the divan to suspend a definitive arrangement without their concurrence, and to confide in the benevolent dispositions of the mediating powers."

This important measure, which provided for the security of the Ottoman empire in one direction, by vesting the protectorate in the five powers instead of leaving it in the hands of one, at the same time that it excluded the perils of further collision with the viceroy by taking the adjustment of the territorial differences out of the hands of the belligerent parties, was said to have originated in the suggestions of the French government.

In the meanwhile, and, as it would appear simultaneously with this motion on the part of the ambassadors at Constantinople, another document of the most important bearing upon the oriental question, and conveying a still more strongly pronounced opinion in favour of the Ottoman Porte,

was addressed by marshal Soult to the French ministers accredited to the courts of the four powers. It bore date, July 17, 1839, and set out by stating that in the crisis brought on the Ottoman empire by the death of the sultan Mahmoud, coupled with the events of the last two months of his reign, the union of the great powers of Europe could alone afford a sufficient guarantee for the maintenance of peace. This union is described as being at that time as complete as possible, all the cabinets desiring the integrity and independence of the Ottoman monarchy under the existing dynasty, and being prepared to use all means within their reach to maintain this essential element of the balance of power." The gallant marshal then concludes by declaring formally that such were, and would invariably remain, the sentiments and intentions of the French cabinet, and invites the other governments to make a similar declaration. Lord Palmerston on the 23d of July, and prince Metternich on the part of the Austrian cabinet, July 24, hastened to give in their unqualified adhesion to the principles propounded in the French circular, and the notes of the Russian and Prussian governments were subsequently of a similar character. It was subsequently proposed to hold a conference at Vienna on the affairs of the East, but Russia refusing to send a minister thither, the conference was eventually transferred to London, while M. de Brunow was dispatched with proposals on the part of the latter power in the month of September. The course and issue of the negotiations pursued at London will come with greater propriety within the scope

of our succeeding volume. It may be mentioned that M. Roussin the French ambassador was replaced in the course of the autumn by the count de Pontois at the court of Constantinople. The French and English continued to cruise together under admirals sir G. Stopford and Lalande, colonel Hodges succeeded colonel Campbell as British consul-general at Alexandria.

These severe reverses do not appear to have interrupted the progress of legislative reformation in the Ottoman empire. On the 3rd of November the celebrated Hatti sherif of Gul-Khaneh was promulgated. This document declares that the imperial institutions ought to aim principally at the attainment of three objects; to afford to all subjects a guarantee of perfect security in their lives, honours, and fortunes; to establish a regular system of imposing and levying taxes; to establish a regular system for recruiting the army and fixing the term for which a soldier ought to serve. A promise was at the same time given that the imperial councils would immediately proceed to draw up laws for enforcing these objects, which would be made public so soon as they should have received the sanction of the sultan. A firman was also

dispatched to the Muzzir of Konia, and all the heads of districts under him containing an account of the Hatti Sherif. It was intimated that negotiations would soon be issued for the regulation of taxation and the levies of troops, and in the meanwhile the authorities were directed to respect the lives and properties of the people, and put no one to death before the proof and accusation had been transmitted to Constantinople and sanctioned by the sultan. The officers to whom the firman was addressed were further commanded to convoke the inhabitants of each district and read it to them aloud. They were, however, exhorted to give no countenance to the supposition that the ordinance conveyed complete exemption from taxation. When the Hatti Sherif reached Alexandria, Mehemet Ali caused it to be promulgated with great pomp. The first grand council for discussing the new laws was held December 21, at Constantinople. The members were given to understand that the Code Napoleon was to form the base of the new legislature. Further explanations would be given with reference to the manner in which the discussion was to be concluded.

CHAPTER XIX.

UNITED STATES.—*President's Message—Various contents—Financial Statement—Removal of the Indians—North-eastern boundary—Resolutions passed in Congress for exclusion of the Abolition question—Depredations on the Aroostook—Land Agent of Maine arrested—Seizure of the British Warden—Sir J. Harvey's proclamation and letter to the Governor of Maine—Message of Governor Fairfield to the States of Maine—His warlike preparations—Propositions on the part of New Brunswick—Correspondence between Mr. Fox and Mr. Forsyth—President's message to Congress—Debate thereon—Temporary adjustment proposed and communicated to the Houses—Violent speeches in the Senate—Recommendations of the Committee on Foreign Affairs—Message of the Governor of Maine relating to memorandums of Messrs. Fox and Forsyth—Abatement of the excitement—Resolutions of Chambers of Massachusetts and New York—States of Maine deliberate on the Governor's Message—Moderate Resolutions of the Senate—Violent resolves of the House of Representatives—Committee of conference appointed—Resolutions of the Senate adopted—End of the question.* MEXICO.—*Arrival of French squadron—Proposed negotiations—They come to nothing—Storming of St. Juan d'Ulloa by Admiral Baudin—Capitulation of Vera Cruz—Temporary conditions—Subsequent signature of Treaty between France and Mexico—Continuance of the civil war—Tampico taken by the Government troops—Flight of Urrea.* CHINA.—*Measures of the authorities for the suppression of the Opium Trade—Arrival of Commissioner Lin—He demands a bond—Summons Mr. Dent—Captain Elliot proceeds to Canton—Imprisonment of the Chief Superintendent with the whole factory—Delivery of all the Opium under Captain Elliot's guarantee—Release of the merchants—Captain Elliot's despatch to the Governor-General on the subject.*

UNITED STATES.—The annual message of the president of the United States to the North American congress was delivered on the 4th of December, 1838, and will be found at length at the end of our preceding volume.

The document in question, entered as usual, with some particularity into almost every subject of foreign or domestic interest. It exhibited the following exposition of the fiscal affairs of the government. "The available balance in

the treasury," said Mr. Van Buren "on the 1st of January, 1839, is estimated at \$2,765,342. The receipts of the last year from customs and lands, will probably amount to \$20,615,598. These usual sources of revenue have been increased by an issue of treasury notes, of which less than \$8,000,000, including interest and principal, will be outstanding at the end of the year, and by the sale of one of the bonds of the bank of the United States for \$2,254, 871. The aggregate of means from these and other sources, with the balance in hand, on the 1st of January, 1838, had been applied to the payment of appropriations by congress. The whole expenditure for the year on their account, including the redemption of more than 8,000,000 of treasury notes, constitute an aggregate of about \$40,000,000, and will still leave in the treasury the balance before stated." The president proceeded to assure the congress that, the finances of the union, notwithstanding the late commercial calamities, were in a very thriving condition. He then went at great length into the Bank question, and expressed a hope that the legislature would adopt some definite measure with regard to the existing system of employing banks as depositories of the government funds.

It was announced that a convention for marking the boundaries between the United States and the republic of Texas, which extends from the mouth of the Sabine to the Red River, had been concluded at Washington on the 25th of April. Treaties had likewise been recently contracted by the United States with the Peru-Bolivian confederation and with the king of Greece.

Mr. Van Buren went into some

interesting particulars regarding the transplantation of the various Indian nations. The whole tribe of the Cherokees had, it appears, at length been removed without any apparent reluctance, under their own chiefs, to their new homes beyond the Mississippi. The same result had been attained in the case of the entire Creek nation with the exception of a small number of fugitives among the Seminoles of Florida; the Chickasaws, the Chocktaws, the Pota-watanies, the Ottawas and the Chippewas after the extensive purchases of lands which had been made during the expiring year, would also, it was probable, shortly be removed beyond the limits of the Union, in pursuance of the admitted principle that a mixed occupancy of the same territory by the white and red man was incompatible with the safety or happiness of either.

It was observed by Mr. Van Buren, that nothing could be more unfounded in fact, than the reproaches which had of late years been cast upon the government on account of its dealings with the Indians, and he mentions in proof among other instances, the late transactions with the Cherokees. To this people, whose case had, perhaps, excited the greatest degree of sympathy, the United States had granted in fee, with a perpetual guarantee of peaceable and exclusive possession, 13,554,135 acres of land on the west side of the Mississippi, eligibly situated, in a healthy climate, and better suited in all respects to their condition than the country which they had left, in exchange for only 9,492,160 acres on the east side of the same river. It had, moreover, been stipulated to pay them \$5,600,000 for their interest in

and improvements on the lands thus relinquished, and \$1,160,000 for subsistence and other beneficial purposes; thereby, putting it in their power to become one of the most wealthy and independent separate communities of the same extent in the world.

The condition of the tribes occupying the country set apart for them in the west, was described as being highly prosperous, with every hope of their early civilization. Most of them had abandoned the hunter state, and turned their attention to agricultural pursuits. All who had been established for any length of time in that fertile region, maintained themselves by their own industry. Among them were traders of no inconsiderable capital, and planters exporting cotton to some extent; the greater number, however, were small agriculturists living in comfort upon the produce of their farms. Even those who had removed reluctantly had readily acquiesced in their unavoidable destiny, and found in the abundance with which they were surrounded a recompence for past sufferings, and an incentive to future virtuous habits. It only remained, observed the president, indulging perhaps in speculations more Utopian than practicable, to give them a government and laws which would encourage industry, and secure to them the rewards of their exertions. Intimately connected with this subject was the establishment of military defences along the frontier, without which the government would be powerless to redeem its pledges of protection to the emigrating Indians against the numerous warlike tribes that surrounded them, and to provide for the safety of the frontier settlers on the border states.

VOL. LXXXI.

With regard to the north-eastern boundary of the United States, no official correspondence had passed between the government and the cabinet of Great Britain since the last communication to congress. The president was, however, assured that the offer to negotiate a convention for the appointment of a joint commission of survey and exploration, would be met on the part of her majesty's government in a conciliatory spirit, and prove, if successful, to be an important step towards the final adjustment of the controversy.

The discussion of the question of the abolition of slavery had been at length completely precluded by an act of the congress, who passed, at the beginning of the session, a series of resolutions to that effect, by the overwhelming majority of 198 to 6. The first resolution declared, "That the government is of limited powers, and that by the constitution of the United States, congress has no jurisdiction whatever over the institution of slavery in the several states of the confederacy." The last was as follows:—"Resolved, therefore, that all attempts on the part of congress to abolish slavery in the district of Columbia, or the western territories, or to prohibit the removal of the slaves from state to state, or to discriminate between the constitution of one portion of the confederacy and another, with the views aforesaid, are in violation of the constitutional principles on which the union of these states rests, and beyond the jurisdiction of congress; and that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever to slavery as aforesaid, or the abolition thereof, shall, with-

[2 E]

out any further action thereon, be laid on the table, without printing, reading, debate, or reference." The resolutions were then put and carried.

The exacerbated feelings created by the recent collision of the subjects of the queen and the citizens of the United States on the borders of Lower Canada, had scarcely subsided, when the relations of the two countries were once more in the way of being gravely compromised by some occurrences which took place in the contested district between Maine and New Brunswick. It would appear that towards the end of January, a numerous band of lawless persons invaded the portion of the territory in dispute between the United States and Great Britain, which is watered by the river Aroostook, and committed extensive depredations by cutting down the timber. The governor of the state of Maine, as soon as he received official intelligence of these transactions, made a communication to the legislature upon the subject, and recommended them to furnish him with such means, in addition to those already provided by law, as would enable him to arrest the trespassers, and secure the timber which they were on the point of carrying away. The chambers accordingly passed a resolution, in pursuance of which governor Fairfield despatched an armed posse, at the expense of the state, by the land agent, and the sheriff, under whose control they were to be placed. It was their avowed intention to have retired from the territory as soon as they should have expelled the aggressors; but this termination of their enterprise was suspended by the unauthorized seizure of the land agent, Mr. M'Intyre, when he was in the

act of putting himself into communication with the agent appointed by the government of New Brunswick to watch the trespassers whom the officer of the state of Maine had been commissioned to drive off. In consequence of this proceeding, Mr. M'Lauchlin, the English warden, was now arrested, and conveyed as a hostage to Bangor.

When these proceedings came to the knowledge of Sir John Harvey, the governor of New Brunswick, he published a proclamation declaring that Mr. M'Intyre had been detained without the authorization of the colonial government, and addressed at the same time, Feb. 13, a letter upon the subject to the governor of the state of Maine. In this document, Sir J. Harvey, who would appear to have been at the time in some degree misinformed as to the precise character of the force employed, refers with concern to the fact that, without the courtesy of any previous intimation, an armed body from the state of Maine had entered the territory, which, he observes, it had been agreed between the two governments, should remain in the exclusive possession of the crown of England until the claim should be determined, and expressed his regret, that governor Fairfield, being well aware that the instructions received by Sir J. Harvey from his government did not permit him to suffer any interference with that occupation pending the existing controversy on the subject, instead of seeking the recall or modification of these instructions through the presidential government, should have thus forced upon a subordinate officer the alternative either of neglecting the commands of his sovereign,

or of placing the two provinces in a state of border collision, if it should not involve the two nations in immediate and active hostility. He then goes on to entreat the governor of Maine to relieve him from this painful position, by ordering the immediate recall of his men from the contested precincts, and mentions the fact that a strong body of troops were under orders to march into the litigated district, in the event of this request not being forthwith complied with. With regard to any other plea for these proceedings connected with the spoliations of timber, orders had, he observes, been given for a boom to be placed across the mouth of the Aroostook, where the seizing officer, protected by a sufficient guard, would be able to prevent the passage of any logs into the St. John's in the spring, or to seize and expose them to public sale, for the benefit of the disputed territory fund. It was also his intention to adopt similar precautions in the case of timber felled upon the Upper St. John's, or the tributary streams falling into it.

This communication was followed by a message from governor Fairfield to the senate and house of representatives of Maine, in which, after alluding to the receipt of Sir J. Harvey's proclamation, Mr. Fairfield announced that an order had been issued to general Hodgson to detach 1,000 men to the place then occupied by the land agent's party on the river Aroostook, with a view of enabling the latter to carry into effect the resolutions of the 24th of Jan., mentioning at the same time, that in case those measures received the approbation of the chambers, he should feel it to be his duty to order a draught from the militia of

at least 10,000 men, to hold themselves in readiness to march upon the frontier. In the course of a composition which betrays somewhat of the author's tendency to fanfaronade, Mr. Fairfield enters his decisive protest against the pretension made by Sir J. Harvey to the provisional occupation of the Aroostook district. The governor's reply to the notification of Sir J. Harvey, was conveyed in similar language. In the meanwhile no time was lost in putting the state in a condition of defence. The following draughts of militia were ordered to be made with every possible expedition:—cavalry 74, artillery 451, riflemen 548, lightinfantry 1,752, infantry 7,481, making in all 10,343 men. Similar directions were issued by the lieutenant-governor of New Brunswick, and a state of the highest excitement was created among the population of the two provinces. Colonel Rogers who had been dispatched by Mr. Fairfield to Fredericton, returned at this period with the land agent, Mr. McIntyre, who had been liberated on parole. The warden of New Brunswick was set free upon similar conditions. The following propositions were brought back by colonel Rogers from the provincial government:—

1. That the provincial land agent be released upon the same terms as Mr. McIntyre has been released.

2. That the trespassers be given up to be tried by the British law.

3. That the force on the disputed territory be immediately withdrawn.

The lieutenant-governor of New Brunswick forwarded to the British minister at Washington, an account of these occurrences, and

Mr. Fox thought it necessary to address, Feb. 23, to Mr. Forsyth, the American secretary of state, an expostulatory note, in which he takes for granted, in the same terms in which the assumption was made by sir John Harvey, that all the region in question was placed under the exclusive jurisdiction of her majesty's authority, and was bound to remain so, by explicit agreement between the government of Great Britain and the United States, until the final settlement of the territorial question.

Mr. Forsyth endeavours, in reply, Feb. 25, to show that the note of Mr. Fox, together with the enclosed proclamation of Sir J. Harvey, had been prepared under erroneous impressions, of the facts to which they related, inasmuch as the recent movement had been founded upon a resolution of the legislature which had for its sole object, not the military occupation of the soil, but the removal of marauders, who in violation of the rights of property, to whomsoever it might belong, and the declared intentions of both governments, were gradually and hourly diminishing its value.

No military investment had been attempted on this occasion. The assistants were not as had been supposed, detailed from the Maine militia, but the Sheriff had been empowered in a perfectly lawful manner, to raise a force for the specific purpose of expelling an armed body of aggressors. It was, therefore, hoped, that Mr. Fox would easily be able to satisfy the colonial government, that there was no occasion of a collision with Maine afforded by the renewed exercise of an often-asserted right, and, in that case, the president,

Mr. Forsyth, was instructed to say, felt no doubt, but that he should find little difficulty in preventing any military array on the part of Maine, in procuring the voluntary disbandment of any militia that might have been brought together. The prompt release of both the agents who had been apprehended on either side, under a misapprehension was a measure so obvious, that the president took for granted, that they had already been set at liberty.

With regard to the assertion made both by Mr. Fox, and sir J. Harvey, that the exclusive custody of the country in question, pending the existing negotiation, had been notoriously left by common consent, in the hands of Great Britain, Mr. Forsyth does not deny, that the English government had endeavoured, on several occasions, to prove argumentatively, that the jurisdiction, in the interim, rested with them, but the question of title, or right, of jurisdiction, resulting from the previous exercise thereof, had been, he says, so much a matter of controversy, that he was requested by M. Van Buren, to ask for a full explanation of the ground upon which an assumption so extraordinary was founded, in order that the error might be traced to its source, and the two governments distinctly made aware of their understanding on this point, to prevent the serious consequences which might follow from any misconception on either side. "I cannot take leave of the subject," adds the American minister, "without adverting to the delay of her majesty's government in making some decisive proposition to advance the final settlement of the boundary question."

Mr. Fox contented himself with

replying, Feb. 25, that he should lose no time in transmitting the note of Mr. Forsyth, to her majesty's government, confining himself, in the meanwhile, in the most formal manner, against the views set forth in the latter part of the communication; a course, pursues Mr. Fox, which he adopted, in preference to entering at that moment into a detailed discussion, both because he should be better qualified to discuss the question, after communicating directly with Great Britain, and also because as he entertained the hope, that an early settlement of the general question would render this subordinate point of little moment.

These letters together with the transactions to which they refer, were made, Feb. 26, the subject of an especial message from the president to the two houses of congress. The communication of Mr. Van Buren was conveyed in language too temperate to afford any effectual countenance to the aggressive demeanour of the state of Maine. After submitting a rapid view of the late occurrences in the disputed country, the president deduces that Maine had been perfectly warranted in the means that had been adopted, in the first instance, for expelling the depredators, a view which he felt confident, the governor of New Brunswick, upon being better informed, would be inclined to behold in the same light; in which case there was every hope that the present question might be adjusted by resort to the peaceable methods that had been found available on former occasions, without any interference on the part of the central government. With this object, the president after making a most explicit protest against the before

mentioned pretension on the part of the English government to the provisional right of jurisdiction, announces his intention to submit to her majesty's government a distinct arrangement for the temporary and mutual exercise of the superintendence.

"Between an effort on the part of Maine," he goes on to observe, "to preserve the property in dispute from destruction by intruders and a military occupation by that state of the territory, with a view to hold it by force, while the settlement is a subject of negotiation between the two governments, there is an essential difference, as well in respect to the position of the state, as to the duties of the general government." In a letter," said he, "addressed by the secretary of state to the governor of Maine, on the 1st of March last, giving a detailed statement of the steps which had been taken by the federal government to bring the controversy to a termination, and designed to apprise the governor of that state of the views of the federal executive in respect to the future, it was stated, that while the obligations of the federal government to do all in its power to effect the settlement of the boundary question were fully recognised, it had, in the event of being unable to do so specifically, by mutual consent, no other means to accomplish that object amicable than by another arbitration, or by a commission with an empire in the nature of an arbitrator, and that, in the event of all other measures failing, the president would feel it his duty to submit another proposition to the government of Great Britain to refer the decision of the question to a third power. These," said Mr. Van Buren, "are still my

views upon the subject, and until this step shall have been taken, I cannot think it proper to invoke the attention of congress to other than amicable means for the settlement of the controversy, or to cause the military power of the federal government to be brought in aid of the state of Maine, in any attempt to effect that object by a resort to force.

"On the other hand, if the authorities of New Brunswick should attempt to enforce the claim of exclusive jurisdiction set up by them, by means of a military occupation on their part of the disputed territory, I shall feel myself bound to consider the contingency provided by the constitution as having occurred, on the happening of which a state has the right to call for the aid of the federal government to repel invasion."

Upon the delivery of this address, Mr. Thompson, of South Carolina, arose and eulogised in the warmest terms the manly and patriotic message, giving his unqualified approbation to the whole course of the administration on this subject. He deprecated war, and knew that its consequences might be disastrous to them, it might be made a pretext by England for seizing upon Cuba, but still, in a matter of national honour, he would not stop to count the cost. The right of the United States was not a question; that had been decided unanimously by both houses of congress heretofore. The question now to be decided was, whether they should passively submit to the insults and aggressions of England. The tone of Sir John Harvey's letters he thought insolent in the extreme, and moved the printing of 20,000 extra copies of message and documents.

Mr. Evans, of Maine, followed in a long speech, exhibiting the present position of this question. He complained of the past neglect of this subject by the general government, and remarked upon the former conduct of the administration as "pusillanimous." He expressed himself as being pleased with the assertion by the president that in case the aggression should be persisted in, he would aid Maine. But he maintained, that Maine was now entitled to the support of the general government. All hopes of an adjustment through negotiation would be found delusive. The temper of the people of New Brunswick, of the people of Maine, of the determination evinced in the letters of governor Harvey, Mr. Fox, and governor Fairfield, showed that matters would be pushed to an extremity. He called upon congress to provide at once the necessary means for aiding Maine; and he insisted that the state of Maine would not flinch from the position she had taken, whether she was supported in it or not.

Messrs. Adams, Cushing, Lincoln, and Sergeant, supported Mr. Evans's views. The whigs are said to have taken the more violent side of the question, and Mr. Clay expressed his readiness to give the president men and money.

In the meanwhile, Messrs. Fox and Forsyth had come to an amicable agreement, Feb. 27, for the preventing of further collision on the frontier, without disparagement to the claims of either party, to be submitted in the interim to the states of Maine and New Brunswick, for the regulation of their future proceedings. After setting forth, in very explicit terms,

at the commencement of their memorandum, the opposite pretensions sustained by the respective cabinets with regard to the temporary jurisdiction, a matter upon which, it is observed, a complete understanding could be obtained, by friendly discussion between the government of the United States and Great Britain, the memorandum goes on to engage, that in the meantime, the governor of the province of New Brunswick and the government of the state of Maine will act as follows. Her majesty's officers will not seek to expel by military force the armed party which has been sent by Maine into the district bordering on the Aroostook river, but the government of Maine will voluntarily and without needless delay withdraw beyond the bounds of the disputed territory any armed force now within them; and if future necessity should arise for dispersing notorious trespassers, or protecting public property from depredation by armed force, the operation shall be conducted by concert, jointly or separately, according to agreements between the governments of Maine and New Brunswick.

The president sent the paper in question the same evening to the senate and the house of representatives. The reading of the communication in the former place gave rise to a debate which presented the usual *étalage* of martial and patriotic sentiments.

Mr. Williams, of Maine, expressed himself dissatisfied with it, and believed that Maine would be dissatisfied with it also. Of right she ought to complain, and the general government to listen and redress her wrongs.

Mr. Bagges, of Maine, said Maine had received the first, se-

cond, third, and last blows. It was time now that some of them were hurled back. War would be ruinous to Maine, but even war was preferable to the imprisonment of her citizens, and the continued wrongs and outrages committed upon her soil, and upon her people.

Mr. Walker was for drawing the sword the very moment it should be discovered that negotiations could not be agreed upon whereby the rights of Maine should be fully recognised. Mr. Brown, of North Carolina, was quite as belligerent.

Mr. Calhoun on the other hand and Mr. Preston were both in favour of the pacific measures recommended by the executive. Mr. Calhoun mainly opposed the allusion made as to the probability or possibility of a war. Mr. Preston mildly protested against the apparently excited feelings indulged in by some senators, but if necessity demanded, and war should prove unfortunately necessary, South Carolina would freely spend her blood and her treasure in defence of Maine.

According to Mr. Davis, Great Britain had again and again refused to run a line agreeably with the treaty of 1789. The United States had again and again importuned but in vain. Maine refused to run a conventional line, and the government could not without her consent, in the present irritated state of feeling on the north-east frontier. Maine could endure no longer. The hope was delusive that the matter could end where it was. The conflict must come, and would come, and that speedily, if prompt and decided measures were not taken by the government. Such an arrangement as

that recommended by the president could not give peace to Maine.

Mr. Davis was succeeded by Mr. Webster, who expressed his disapproval of the course taken by the president, and demanded why it was, that after the unanimous vote in congress, the president had not acted more efficiently. For the year past the government had done absolutely nothing. The question at issue, Mr. Webster continued, was not one of property, but of political right. Maine, no more than the Union, is interested; and he condemned the disposition manifested by the general government to shrink from responsibility, and to place the heat and burden of the fight upon Maine. There had been a want of nerve, said he, upon the part of the administration, a bolder stand should be taken, and a higher tone assumed. In conclusion, he was for prompt, energetic, and decided action—for action now—for a determination in the senate chamber, and that this very night. He wanted our government to tell the British government, that it was time this question was settled, and to say to her, that if she refused to enter upon negotiations on the treaty of 1783, the United States would on the 4th of July next, take possession herself.

The debate in both houses closed by referring the matter to the committee on foreign affairs, who recommended in their report, that power should be given to the president to raise a provisional army during the congressional recess, that appropriations should be made for fortifications, and the immediate repair and building of new vessels of war, and that the president should be instructed to re-

pel any invasion of the territory of the Union in Maine. It was moreover recommended, that a special minister should be sent to England. The session of the congress shortly after came to an end.

The minute of Messrs. Fox and Forsyth was communicated to the governor of Maine, who made it, March 12, the subject of a message to the chambers, in which, that gentleman, in his usual manner, condemned the proposed arrangement as unequal and unsatisfactory, and recommended that the military force should not be withdrawn before the troops of the lieutenant-governor of New Brunswick should have completely evacuated the territory. Neither was Mr. Fairfield apparently prepared to allow governor Harvey even a concurrent jurisdiction in measures for protecting the property on the Aroostook, advising on the contrary, that in case the forces of sir John Harvey were withdrawn, the militia of Maine should also retire, and a sufficient armed or unarmed civil *posse* be left by the latter state upon the river for its due protection. In a postscript however, the governor announced, that he had subsequently received a note March 7, of a pacific character from sir J. Harvey, intimating his willingness to enter into arrangements upon the basis of the memorandum of Mr. Forsyth and Mr. Fox. The message and the note were afterwards referred to the committee on the north-eastern boundary.

The war excitement however, in Maine, was fast subsiding. The chambers of Massachusetts and of New York, proceeded to pass very moderate resolutions in support of the policy of the general govern-

ment. The report of the select committee in the latter assembly, exhibits the following creditable sentiments:

"We do not believe, that enlightened and Christian nations, bound to each other in peculiar relations of feeling and interest, will unnecessarily suffer the harmony existing between them to be interrupted. The committee believe, that an expression on our part of concurrence in the policy of the general government, will contribute to avert the calamities of war, and secure the speedy and honourable adjustment of the existing difficulties between this country and Great Britain."

The house of representatives and the senate of Maine, proceeded in the meanwhile to take into consideration the message of governor Fairfield. The senate passed three resolutions in favour of the withdrawal of the forces of the state from the disputed territory. The house on the other hand, carried a series of resolutions, in which they unanimously requested the general government to lose no time in sending a special minister to England to procure a demarcation according to the treaty of 1783, recommending the United States, in the event of Great Britain declining to concur in this proceeding, to run the line for themselves, and take the responsibility. The resolutions were held to partake of what is called, in the jargon of the Union, a nullifying character, in as much as they protested, that any further resort on the part of the president to arbitration, would amount to a virtual abandonment of the rights and interests of Maine. They were carried by a majority of 165 to 1. In consequence of this disagree-

ment between the two branches of the legislature, committees of conference were appointed on either side. The result was, that the members deputed on the part of the house of representatives, reported to agree with the senate, and adopt the original resolutions. The recommendations of the committee were finally accepted by the house—and thus for the time was laid to rest a dispute which would not appear to have found much sympathy but among the more noisy and ill-conditioned populace of the border states. It may be mentioned, that a commission consisting of Messrs. Rudge and Featherstonhaugh, were subsequently sent out by the British government to conduct a new investigation of the still debatable territory. Great dismay was created in the commercial world towards the close of the year, by the temporary insolvency of the United States bank, which was compelled to suspend its cash payments on the 5th of October. The example was followed by all the banks in New York, Philadelphia, Baltimore, Virginia, and the interior of Pennsylvania.

MEXICO.—In our last volume we mentioned that in consequence of the misunderstanding existing between France and this republic, a considerable naval force had been despatched under admiral Baudin to enforce the demands of the latter nation. After the arrival of that officer with the prince de Joinville off the coast of Mexico, it appears that M. Leroy one of the commanders, was despatched to the capital to make known to the government the *ultimatum* of France. In a few days he returned without being the bearer of any satisfactory reply. The next morn-

ing however, a letter was received, in which M. Baudin was requested to repair to Jalapa, in order to treat with the envoys of the government, sending away part of his forces, that Mexico might not appear to yield to violence. The admiral consented to the first condition, but refused to listen to the second, and proceeded to the appointed rendezvous. The envoys acceded to all the terms imposed by France, with the single exception of that by virtue of which Mexico was to authorise sales by retail to be made by the French. On this head the agents expressed a desire to receive further instructions from their government. M. Baudin therefore allowed them an interval of a few days for this purpose. But when at the end of this period replies proved to be unsatisfactory, he returned to Vera Cruz, and took up his position November 27th in front of the castle with three double-banked frigates, four sloops of war, and as many brigs and bomb vessels.

The bombardment commenced at half-past two, and the fire was continued without cessation till five o'clock; the effect of the bombs from the French fleet was proclaimed by the sounds of two severe explosions which took place in the castle. When the volumes of smoke had cleared away, the observatory, which was situated on the highest battery, and from which the hottest fire had been kept up, was perceived to be entirely demolished. The other explosion occurred in the lower battery, burying in the ruins upwards of 150 men, and dismounting a vast quantity of artillery. Notwithstanding however this disaster, the discharge was maintained on both sides until eight

o'clock, when the guns of the fortress were silent. The Mexican commander put out a signal for a cessation of hostilities, and begged to be allowed to withdraw his wounded men from the ruins of the fortification. Admiral Baudin replied, that he would consent to no truce, but would allow the Mexicans to retire from the fort if they capitulated. To this the Mexican general agreed, and withdrew his troops from the castle, which was immediately occupied by the French soldiers and marines. The loss on the part of the French appears to have been very trifling.

The next day a treaty was signed between the French admiral and Don Manuel Rincon, on board the *Nereide*; by the terms of which, it was agreed that general Rincon should retain his authority in Vera Cruz on binding himself in honour that he would not maintain a garrison exceeding 1000 men in the city. 2. That from the signature of the present treaty the blockade should be suspended for eight months, in the expectation that an amicable arrangement would be effected within that period. 3. That the French troops in the castle should have every facility for supplying themselves with fresh provisions in the town. 4. Vice-admiral Baudin engaged to procure the return of St. Juan d'Ulloa to the government of the republic, together with the utensils of war received and the corresponding inventories, as soon as the actual difficulties were adjusted. 5. And it was further stipulated, that any damage that might have been sustained in the absence of those French citizens, who had been compelled by the subsequent hos-

ilities to leave Vera Cruz, should be repaired by a competent indemnification on the part of the Mexican authorities, according to the decisions of the tribunals of the republic.

A treaty of peace was finally concluded on the 9th of March, 1839, by the mediation of Mr. Pakenham, the British minister, in virtue of which the last mentioned state engaged to pay an indemnification of 3,000,000 francs to the French subjects who had claims upon her previous to the war. The amount of indemnification due to the persons who had suffered loss by the law of expulsion was to be settled by arbitration. The Mexicans, moreover, consented to place the commerce of France in their country upon the same footing with that of the most favoured nations. The ratification on the part of Mexico was received. Admiral Baudin, having restored St. Juan d'Ulloa to the Mexican government, returned with his squadron to France.

The hostilities between the federalists and the central government continued. A signal advantage was however obtained, June 5, by Arista, the general of the government troops, by the capture of the town of Tampico. Urrea, the commander of the federalists, was obliged to save himself by flight.

CHINA. The most serious collision which has yet arisen between the Chinese authorities and the British subjects at Canton took place towards the commencement of the present year 1839. The enormous increase of the contraband traffic in opium, occasioned by the opening of the China trade in 1834, had lately begun seriously to attract the attention of

the imperial government, who appear to have come at length to the resolution of putting an end to the commerce altogether. With this view an imperial commissioner arrived, March 1839, at Canton, and resorted at once to the most decisive measures. He demanded that every particle of opium on board the ships should be at once delivered up to the government to be destroyed, at the same time that a bond was required that the ships would never again dare to introduce that article; and in the event of any opium being thereafter brought, the goods should be confiscated, and the parties willingly submit to the punishment of death. Should the foreigners fail to comply with these requisitions, it was plainly threatened by Lin, that they would be overwhelmed with numbers and sacrificed. The functionary in question commenced his operations by insisting that Mr. Dent, one of the most respectable of the English merchants, should proceed to the city and attend the commissioner's tribunal. In consequence of these indications, the chief superintendent, captain Elliot, proceeded in the boat of one of her majesty's vessels, on the evening of March 24, in spite of the efforts made to stop him, to the factories at Canton. He found the whole foreign community in a state of the greatest distress, in consequence of the commissioner's demand. His first step was, to convey Mr. Dent to the hall of the superintendents; after which, he immediately signified to the Chinese that he was prepared to proceed with Mr. Dent into the city, upon the distinct stipulation under the commissioner's seal, that Mr. Dent should not be moved out of his sight. The whole foreign community were

then assembled, and exhorted to be moderate and calm. The same night, however, all the native servants were taken away and the supplies cut off, the reason given for this measure being the opposition of the merchants to the summons of the commissioner. The factories were then completely invested with a large body of soldiers.

Under these circumstances, the British superintendent issued a most important circular to his countrymen, requiring the surrender into his hands of all the English opium actually on the coast of China at that date. He appears to have undertaken this immense responsibility under the conviction that the safety of a vast number of British subjects hung upon his determination. On the 3rd of April, 20,283 chests of opium were delivered over to the commissioner from the ships which had assembled for that purpose below the Bocca Tigris. The imprisonment of the merchants in the meanwhile remained unrelaxed at Canton; and every attempt was made to extort from the foreigners the bond by which their lives and fortunes would have been placed at the disposal of the Chinese Government. This was however evaded. It was not until the 4th of May, when the whole of the opium had been given up, that the state of blockade was terminated. Leave was then given for all to quit with the exception of sixteen individuals, who ultimately took their departure with injunctions

never to return. Captain Elliot immediately ordered every subject of her majesty out of the river, leaving it for them to remain at their own peril. He did not himself remove from Canton until the 25th May, when the proscribed persons had been released, and there remained no other British subject in jeopardy. The chief superintendent, who had been placed throughout in so trying a position, upon the first opportunity wrote to the governor-general, detailing "the course of violence and spoliation which had broken up the foundations of this great trade, as far as Canton was concerned, perhaps for ever." He applied at the same time for as many armed vessels, for the protection of life and property, as could be detached from the Indian station.

We have been prevented by the pressure of other matter from giving to this important subject any space further than what was necessary for the mere inclusion of the facts within the annals of the year. In the next volume, however, we propose to enter at greater length into the subject, presenting an account of our intercourse with the authorities at Canton since the arrival of the king's commissioner in 1834, and bringing down the narrative to the operations which her majesty's government has since thought fit to set on foot, in consequence of the outrageous proceedings which have been thus briefly laid before the reader.

CHRONICLE.

DECEMBER.—1838.

20. TRIAL IN PARIS. GISQUET V. MESSENGER.—

The trial of the *Messenger des Chambres*, for libelling M. Gisquet, formerly prefect of police, commenced in the court of assizes, and elicited strange disclosures. The journal's charge of immorality and peculation would seem to have been fully made out. By Gisquet's own confession, it appeared that he paid his mistress in shares of contracts for establishing omnibus lines in Paris. He was represented as a most shameless jobber in his official capacity, and his private immoralities as systematic and disgusting. Though the details of the evidence were not interesting—being for the most part mere repetitions of transactions in omnibus contracts—the general effect was striking as an exposure of the venality of public men in France. The trial lasted several days, and excited much sensation. On the 3rd January the jury returned a verdict declaring the responsible editor of the *Messenger* guilty of defamation against a public functionary, and not guilty of defamation with regard to his private life. He was accordingly condemned to pay a fine of 100 francs, the

minimum of the penalty. The court likewise decreed the seizure of the number of the *Messenger* containing the libel, and the insertion of the judgment in that journal.

29. QUESTION OF IDENTITY.—SCOTLAND.—John Wilson, at Rigmuir, was brought before Mr. James Bryson, of Sheriffaulds, charged, at the instance of Lady Mary Montgomerie and sir C. M. B. Lamb, bart., her husband, with trespassing on the lands of Rigmuir, on the 9th of November, in pursuit of game. In support of the charge, the complainers produced Niel Hood and Niel M'Donald, two of their gamekeepers, as witnesses, who both swore that on the evening of the 9th of November, about seven o'clock, they and another gamekeeper named Kirkland, were watching snares, when they heard a gun go off; they concealed themselves, and John Wilson, the defender, came towards them, carrying a double-barrelled gun, evidently searching for game. Kirkland seized him by the breast, when he remarked that he was fairly caught now. They continued in conversation with him for some time, that there was little reason to sup-

B

pose they could be mistaken. When taken he had on a light-grey coat and moleskin trousers. When examined for the defence, they swore positively that they could not have mistaken the defender's brother, James Wilson, for him, as there was little resemblance between them, and they had known them both for two years. In exculpation, John Lindsay swore that on the day libelled the defender's brother, James Wilson, came to him, and said, that he had been caught poaching that morning, and had been taken for his brother John, who might get into trouble on his account; whereupon he went to their father's house, and desired the servants to remember that that day was the 9th of November, and what John had been doing on the morning. Catherine M'Call swore, that on the morning libelled the defender was churning along with her, and was not out of her sight from six o'clock until ten; and the reason she remembered the day so distinctly was, that Lindsay had told her to keep mind of it; that on the morning libelled defender had on a sleeved corduroy vest and plaiding trousers; and that she had been upwards of three years and a half in the defender's father's service, and never saw John with a grey coat, or with a doubled-barrelled gun. Two other servants (young girls) were then examined, who gave evidence to the same effect as M'Call. The justice continued the case until the ordinary court, and appointed James Wilson to appear along with the defender, and also ordered the pursuer to adduce Kirkland, the third keeper, who was present at the seizure, to be examined in court. On the 7th of January, the case was again brought for-

ward before a full bench of justices, when the two brothers were produced, and their resemblance to each other might have qualified them to have performed the two Dromios. Kirkland, the third gamekeeper, was then examined, and desired to look at the two brothers, and say whether the defender was the person he had caught poaching on the 9th of November? He then swore that it was not the defender, but that it was James Wilson, the person who now wore a grey coat in court; and farther, that he was positive that he could not be mistaken as to his identity. The justices having thus the evidence of two gamekeepers, who swore positively to the identity of the defender as the person whom they had caught poaching, and of one keeper who swore as positively that he was not the person; and having also the evidence of the three servant girls in proof of an *alibi*, dismissed the complaint, and found the complainers liable in £. 1s. of modified expenses.

A new complaint was thereafter brought against James for the same act of trespass, and came on to be tried before a bench of justices on the 4th of February. Kirkland, as before, swore positively that he had caught him poaching on the day libelled, but on cross-examination he deposed, that he had never seen him before that morning. A third brother, Andrew, having the same Dromio-like resemblance, was then shown to him, and he was asked if it was not him whom he had caught; but he persisted in his original testimony. Lindsay repeated his former evidence, with this variation, that he (the defender) told him immediately afterwards, he-

fore any complaint was brought against him or his brother, that he was not the person who had been caught. On behalf of the defender, the complainers' two gamekeepers, Hood and M'Donald, were then examined, and repeated their testimony, that they had known the whole family for two years, that the defender was innocent, and that John, who had been previously acquitted, was the person whom they had caught. This finished the evidence, and the justices, considering the extraordinary nature of the proof, and the direct testimony of the complainers' own servants, who had known the defender for years, that he was innocent, while the other keeper, who gave evidence against him, had never seen him before the morning libelled, dismissed the complaint, and found the complainers liable in 1*l.* 1*s.* of costs.

1839.

JANUARY.

1. MURDER OF THE EARL OF NORBURY.—Our record of domestic occurrences for the present year, opens with an act of singular atrocity, and which has thrown into consternation all classes of society in that part of the kingdom in which it was perpetrated. It took place on the first day of the year, and up to the close of it, no clue had been afforded for the discovery of the murderer, notwithstanding the active exertions, and large rewards offered by government for that purpose.

His lordship was walking with his steward, in the shrubbery near his own house at Kilbeggan, in the county of Meath, late in the after-

noon, when he was shot, the ball entering his body a little below his left breast.

The earl died about twelve o'clock on the night of the 3rd, after forty-three hours of extreme suffering. A coroner's jury, on the next day, sat to receive evidence respecting the cause and agent of his death. The first witness was lord Norbury's steward. His evidence was to the following effect:—

“He was the only person in company with Lord Norbury, and was within about nine feet of him in his rear when the shot was fired. His lordship was in the act of pointing out four or five trees which he was anxious to have cut down. It was then about a quarter to four, and clear daylight. The steward at the time had his back turned towards a hedge which skirted the plantation in which they then were; and while looking up at the trees which were to be cut, he heard the report of a gun, and saw smoke proceeding from the hedge which was on the top of a ditch: on looking farther, he saw a man at the other side of the hedge in the gripe, stooping down and running as hard as he could up the gripe. He followed him about twenty yards; but hearing lord Norbury cry out two or three times, he returned to his assistance, when he was just about to break through the hedge in pursuit of the assassin. On returning to his lordship, he found him in the act of falling; and took him in his arms and carried him towards the Kilbeggan or Abbeyentrance-lodge, about twenty yards; but being unable to carry him farther, and lord Norbury being very weak and faint, he placed him on his back on the ground, intending

to go for assistance. He proceeded to the lodge; and having desired two females whom he found there to go to his lordship's assistance, he proceeded to the Abbey and called for Mr. Stewart, lord Norbury's son-in-law, the only gentleman then staying there. Mr. Stewart went immediately to lord Norbury, and conducted him home. He recollected and described the dress of the murderer."

Dr. Pierce of Tullamore and Dr. Duigan of Kilbeggan were immediately sent for: they found that lord Norbury had received six wounds from a blunderbuss loaded with swan-shot. The jury, a mixed one of Catholics and Protestants, found a verdict of "Wilful murder against persons unknown." There was a *post mortem* examination of the body.

5. TRIAL OF ENGLISH BOXERS IN PARIS.—Two English boxers, Owen Swift and Adams, were summoned before the tribunal of Correctional Police, accused of having engaged in a pugilistic rencontre in the Commune of Charenton on the 5th of September previous. It will be recollected that Swift was the principal person implicated in the fatal prize fight on Melbourne-heath on the 13th of March, 1838, when his antagonist was killed. Much had been said about this trial, in which it was expected that some of the principal members of the Paris Jockey Club would be examined as witnesses, but the curiosity of the public was deceived on this point. The accused parties did not appear, and suffered judgment to go by default. It appeared that the present match, which was for the sum of 100*l.*, took place at Charenton on the farm of an English-

man named Drake. One of the witnesses was a neighbour, who, seeing several carriages arrive in front of Mr. Drake's field, asked some Englishmen what they were going to do? They replied, "We are going to amuse ourselves." He saw all the preparations for the fight, but he was not present when it took place. He only knew that bets to a large amount were depending on it.

M. Thevenin, king's advocate, inveighed loudly against the kind of spectacle which these boxers wished to introduce into France, and which he designated as ignoble, degrading, and barbarous. After reading the particulars of the first examination of Swift, the president pronounced judgment, by which, in virtue of article 311 of the penal code, Swift and Adams were condemned each to 13 months' imprisonment.

5 and 6. VIOLENT HURRICANE AND SHIPWRECK.—A gale of wind, of extraordinary violence, from the north-west, began in the metropolis on Sunday night about eleven o'clock, and continued till between five and six on Monday morning. During part of Monday night also the wind was high, but not so violent as on the previous night and morning. The effects of the gale were not very remarkable about town: some vessels in the Thames broke from their moorings, with the loss of spars and bowsprits; trees were torn up, and chimneys blown down; but no personal injuries of consequence were sustained. In the country and on the coast, however, the loss of life and property was dreadful.

At Liverpool, during the afternoon of Sunday, the wind blew freshly from the southward and south-eastward. Of this circum-

stance several outward-bound vessels availed themselves; among which were the *Pennsylvania* and the *St. Andrew*, New York packet-ships. At eleven o'clock, the wind in a terrific squall shifted to the northward and westward; from which quarter it continued to blow with extraordinary fury during the whole night. The morning disclosed a melancholy scene of disaster. The streets were strewn with the fragments of stones, slates, and bricks, which had been hurled from the roofs and dwellings. The gale had blown down at one swoop, the wall of the *Kirkdale* gaol, the handsome stone front of the Wesleyan chapel, erecting in *Great Homer-street*, the walls of which had but the preceding day been completed, and the iron pallisades and the trees in the grave-yard of *St. James's church*; one wing of a large cotton factory, which had recently been erected on the banks of the canal, was prostrated, and the cotton it contained scattered like flakes of snow in the neighbouring district. Several persons perished in their beds from the falling of chimnies: among whom may be mentioned *Mrs. Lawrence*, the mother of a member of the *Town Council*, who was crushed beneath the weight of a stack of chimnies; and the children of a *Mr. Marsh*, residing in the outskirts of the town.

Many vessels were lost at sea; but the fate of the *Pennsylvania*, *St. Andrew*, and *Lockwoods* (the two former bound to America, the latter just coming into port) laden with valuable cargoes, and passengers, excited the most interest. The *Victoria* steam-tug, which had gone out during Monday afternoon to try to render assistance to

any vessels that might be in distress, discovered within half a mile of each other, on the *North Bank*, the *Pennsylvania*, the *St. Andrew*, and the *Lockwoods*. The life-boat was afloat, and making every exertion to save as many people on board these vessels as possible. She succeeded in taking off the *St. Andrew* the captain, the crew, and the passengers; all of whom were conveyed in safety on board the *Victoria*. She then proceeded to the *Lockwoods*, which, besides the crew, had eighty-five passengers on board; and took off in all thirty-three persons, leaving from eighty to a hundred souls on the wreck. Among the persons saved, was an infant only eighteen months old, whose father and mother were left on board. The *Pennsylvania* lay in the surf, the hull nearly covered by the sea, and could not be approached. The captain, the crew, and the passengers were in the rigging, and the sea was making a breach over the ship. Three of the crew and two passengers had previously left her, in one of her boats; but the boat was overwhelmed in the surf, and only one of the passengers, *Mr. Thomson*, of *New York*, reached land. This gentleman wore a life-preserver.

The *Victoria* went out again at eleven o'clock on Tuesday night, with a reinforcement of twelve boatmen, two boats, and a life-boat. At daybreak, her boats were lowered, and pulled in the first instance to the *Pennsylvania*. Previously to their arrival, the *Huskisson* schooner had passed the bank, and her crew were horror-stricken with the heart-rending shrieks uttered by the helpless individuals clinging to the rigging,

and who, during an entire night, had been exposed to the pelting of the most pitiless snow-storm which ever whitened our coast. At imminent risk, twenty-three persons were eventually snatched from the shrouds, utterly exhausted with fatigue, and paralyzed with cold. Three corpses were left in the tops. The *Victoria* proceeded to the Lockwoods, and brought from her, with one exception, all who remained alive, to the number of thirty-eight individuals. Amongst them were two children whose mother had perished; one was an infant only seven weeks old. About thirty persons were lying on the poop of the Lockwoods all dead, and several more were drowned in the cabin. The captain of this latter vessel promptly proceeded to Liverpool for assistance: had subsequently embarked on board the *Victoria*, and was zealous and indefatigable in his exertions to save his crew and passengers. Upwards of eighty, however, perished.

Numerous smaller vessels and boats were wrecked during the gale. The property lost was reckoned at a million sterling. The cargo of the *Pennsylvania* and *St. Andrew* were worth from 400,000*l.* to 500,000*l.* About a hundred lives were lost at or near Liverpool. A subscription for the relief of the sufferers was set on foot by the Underwriters, and 1,600*l.* was soon put down. The North-west Light was driven from her moorings; and the loss of the large American vessels was partly attributed to the want of that beacon.

At Manchester the storm commenced about two o'clock in the morning, blowing a perfect hurricane till between eight and nine,

when it began to moderate; but at intervals during the day it broke out again with increased violence, in furious gusts. Stacks of chimnies in almost every street were blown down, and falling in several instances through the roofs, destroyed the lives of the inmates. In one instance a whole family, consisting of father, mother, and four children, were thus buried in the ruins; and it was asserted that no less than ten coroner's warrants were issued for Salford alone before twelve o'clock. Several houses were blown completely down, others unroofed; whilst in some places the sheet-lead was peeled off the slates, and compactly rolled up, as if by the plumber's art. Towards evening, it began to rain and snow very heavily, and the fury of the storm considerably abated.

The accounts from Carlisle, Whitehaven, Preston, Blackburn, Oldham, Bury, Rochdale, Newcastle, Hull, Lincoln, and other places in the north, were to the same effect; the destruction of property being greater or less, but everywhere considerable.

The storm extended to Scotland and Ireland; and in Dublin more particularly great damage was done.

Among the lesser disasters occasioned by the violence of the gale, may be mentioned the delay in the arrival of the mails. That from Edinburgh, due at Carlisle at half-past three o'clock on Monday afternoon, did not arrive till about six in the evening. It was related, that in the course of the forenoon, as the coach was proceeding on the road from Galashiels to Selkirk, nearly opposite to Abbotsford, the driver, whilst applying the whip to the

horses, he having previously had to hold on by the box, was blown off by the force of the hurricane, and immediately afterwards the coach, along with the horses, was carried over the fence into the adjoining field, the coach having rolled over several times. It happened, fortunately, that no passengers were in the coach at the time of the accident. It would appear too that the coachman was only slightly hurt. None of the horses were injured, but their harness went to pieces, and the coach was partially broken, so that the mail-bags had to be brought on to Carlisle in a chaise.

7. ILL-USAGE AT A LUNATIC ASYLUM.—At the Hants' county sessions, Charlotte Rose was indicted, charged on the coroner's inquest, with beating and ill-using Mary Ann Strong, deceased, so as to accelerate her death, at the lunatic asylum of Mrs. Middleton, at Grove-place, in the parish of Nursling.

In this case, the facts of which were given in our last number, it will be recollected that the principal witnesses were two women who had been patients in the asylum at the same time as Mrs. Strong. On the trial, the counsel for the defendant objected to their evidence, on the ground, that they had been confined as lunatics during the whole time mentioned in the indictment. The chairman decided that the admissibility of their testimony should depend on proof being given that they enjoyed lucid intervals during the period in question. Several witnesses were called, both in support of and against this point; and the jury, after consulting for some time, returned a verdict of guilty of a common assault. Fined 5*l*,

and to be imprisoned until such fine be paid. The trial of Sillence, the other accused party, was deferred until next sessions.

13. MURDER IN GLASGOW.—We have to record a melancholy case of murder (perpetrated, as would appear, under the influence of insanity). It is the stabbing to death a girl deaf and dumb, by the hand of her own brother.

Thomas M'Kinnis, the murderer, and his sister, whose name was Helen, resided alone in the same house, in King-street. No person witnessed the cruel deed, and all that was known of the circumstance came from the information of the unfortunate man himself, who was the first to make known his crime. On searching the house, the dead body of the unfortunate female was found on the floor undressed, drenched in blood, and covered with wounds. Over the corpse a sheet had been thrown by the murderer. The prisoner underwent a long examination before the proper authorities, and made the fullest confession of his guilt, of which however he did not appear to have any sense. He stated, in substance, with the incoherence of a lunatic, that for the last six years he had been in a dreadful state of distress; that things were come to a crisis, and having had the greatest love for his sister, who was a most virtuous girl, and for whom he would have travelled the whole earth, after trying every means to preserve her from want and misery, without effect, on the Saturday night previous to the commission of the deed he had resolved to save her by putting her out of the world. Accordingly he rose about one o'clock on Sunday morning, his sister being in bed asleep, and

struck a light to see the position in which she lay, that he might the more effectually put her out of pain. After this he extinguished the light that she might not see who it was that touched her. He then got his knife, and just gave her the slightest stab, because he thought whenever it touched her she would have expired at once. He would not for thousands have done it had he thought otherwise, as it was all for her good—but she got up, jumped out of bed, and grasped him by the neck, which irritated him, and he then saw that the business would have to be completed. In the struggle his hand was cut by the knife, but after repeated stabs his sister fell, and her head striking on a tub, he saw all was over. After this he laid her out, and covered the body with a sheet. He then took off the shirt he had on, which was bloody about the neck, where his sister had grasped him, and put on a clean one. He afterwards went to a friend's house in Saltmarket, where he told what he had done, and where he was apprehended. When asked by the superintendent of police, after the examination, whether he would wish to be confined in gaol or in Bridewell, he seemed, or affected to be, quite startled, and declared that such gross tyranny had never been witnessed. He had done a great deed, in which he was justified, by saving the poor woman whom he loved, and would he be sent to Bridewell for so doing? He was committed to prison.

14. COURT OF CHANCERY.—PIKE v. VIGORS.—DUBLIN.—The judgment in the cause of Pike and Vigors, relative to the West Cork Mining Company, was pronounced

by the lord chancellor. The object of the bill was to have the contract, upon which the company was formed, set aside for fraud. Mr. Pike, of London, agreed in February 1834, to form a company in London to work the mines upon the estate of the late lord Audley, in the county of Cork, for 165,000*l*. The company was accordingly formed; and the transaction subsequently impeached by Mr. Vigors, one of the directors. If the prayer of Mr. Vigors' cross bill had been acceded to, the consequence must have been the dissolution of the company, and lord Audley's executors would have been obliged to refund that portion of the purchase-money already paid. The lord chancellor said, there was no evidence upon which he could take upon himself to fix the brand of fraud upon the memory of lord Audley. There had been no misrepresentation of the value of the property, which had been represented by eminent engineers to abound in mines of rich copper ore, and fine slates, &c. In fact, no one could tell at the present moment what those mines might produce if properly worked. He, therefore, decided in favour of the plaintiff Pike, and dismissed the cross bill, but without costs. The cause occupied twelve days of the last term in the hearing. The defendant Vigors' cross bill was prepared by an eminent London pleader; and lord Plunket treated it with ridicule, as containing no less than twenty different prayers inconsistent with each other.

15. SPECIAL COMMISSION, IRELAND.—According to Judge Burton, one great object of the present commission, was the bringing before the public mind the

state of this unquiet country with respect to crime.

The commission was opened at Clonmel. The proceedings commenced by the trial of Cornelius Hickey and William Walsh, for the murder of Mr. Austin Cooper. The principal witness was John Patrick Ryan, an accomplice. The prosecution was conducted by the solicitor-general. The prisoners were found guilty, and sentenced to death. It was proved that the murder was planned in the most cool and deliberate manner; and that Mr. Weyland was to have been the victim, though Mr. Cooper was killed by mistake. The principal witness, John Ryan Patrick, had been treated harshly, as he said, by Mr. Weyland, respecting the occupancy of some land. He then, with the prisoners Walsh and Hickey, conspired to murder that gentleman; and they made no secret of their intention. Ryan said, he thought it would be a "good thing to shoot Mr. Weyland," and he "determined to have his life." They talked about it at public-houses, and to various persons, women as well as men. One of the witnesses said, "it had been going on for six months;" and it would seem that nearly the whole population must have been aware of the intention to kill Mr. Weyland, though the exact time when the murder was to be committed was probably known but to few. Mr. Samuel Cooper, and his brother, Mr. Austin Cooper, were in company with Mr. Weyland on the road from Kilmore to Tipperary when Mr. Austin Cooper was killed by shots intended for Mr. Weyland; who was also wounded. Several persons fired. In the immediate neighbourhood were numbers of the peasantry, not one of

whom interfered to prevent the murder, or secure the actors in it. The witnesses for the prisoners swore through thick and thin, but were not credited.

Among the other cases brought before the commission, may be noticed that of Edward Hogan, murdered at Kenagh, on the 29th of June previous. James Kelly and Matthew Hourigan were placed at the bar, the former charged with having struck the deceased with a stone; and the prisoner Hourigan with aiding and abetting in the homicide. It was difficult, from the evidence in the case, to assign any motive on the part of either of the prisoners for the attack on the deceased, or to discover any traces of previous provocation; but that they had formed the design of killing him was sufficiently apparent. The prisoners were first seen on the evening of the 29th June, in a part of the town of Nenagh, at some distance from where the attack on Hogan was made. The prisoner Kelly was married, and his wife was in company of him and the other prisoner, and as it appeared urged him not to do what he was about. He was then seen to take up a stone and put it in his pocket, and he and Hourigan, who had a stick in his hand, went off to another part of the town. The deceased Hogan was on his way out of the town; the prisoners came behind him, and Kelly took the stone from his pocket and struck him on the head, inflicting a wound of which the unfortunate man died in three or four days afterwards. Attempts were made to arrest the parties. They were laid hold of at the moment by some individuals, but afterwards got away, and were not finally appre-

hended until some time after the man had died. A verdict of "Wilful murder" was returned against both prisoners. They were condemned to death; but the sentence was subsequently commuted into transportation for life.

Several persons were found guilty of Whiteboy offences, and sentenced to transportation. There would seem to have been no difficulty in procuring testimony, and no reluctance in juries to convict.

At the conclusion of the trials, the solicitor-general, addressing the bench, declared that no evidence of a general conspiracy among the peasantry had been produced. He said—he felt bound, for the sake of the people of Ireland, to allude to an assertion which had been made—namely, that the government of the country encouraged crime; and that whatever offence the people might commit, they had only to apply to the executive for pardon. He warned the people not to be led away by this miserable and most monstrous delusion.

15. SINGULAR TRIAL, PARIS.—A trial came on about this time before the Paris tribunals, relative to the young heiress of Sampayo, married to the son of the duke of Palmella. The heiress was daughter of count Pova, who died in 1832, and about eleven years of age. With the consent of her guardian, M. Esteves, and her mother, she had been betrothed to the marquis de Fayal, son of the duke of Palmella. Dispensation having been obtained, the marriage was celebrated on the 3d of January, 1836; it being understood that the young wife was to live separate from her husband, under the care of the duchess of Palmella. The young lady, it was calculated, then pos-

sessed about 60,000*l.* a year. But by the death of her brother, which took place subsequently, her fortune swelled to an enormous heritage. Collateral relatives then demanded to break the marriage before the ecclesiastical court of Lisbon. The court ordered canonical separation. The French judge Dewellyan, on demand, ordered the young lady to be lodged in a convent; but the duchess de Palmella carried her off. M. Teste (as advocate for the collaterals) said that the young marquis did not enjoy good health, and pleaded that the marriage should be delayed till the young lady was fifteen, and that then she should be at liberty to accept or refuse it. The court confirmed the sentence, that the young lady should be consigned to the convent; but declared that the decrees of the Portuguese ecclesiastical court had no validity in France.

16. FIRE AT MORDEN, SURREY.—A fire broke out between one and two o'clock in the morning, at the Crown Inn, Morden, by which the premises were totally destroyed, and two men lost their lives. The deceased persons were the hostler and stable-boy; the former had gone to bed intoxicated, and could not be roused. The flames had got to such a height before any alarm was given, that the inmates had only just time to escape through the windows, without saving even their clothes. How the fire originated did not appear.

— SINGULAR CASE OF FORGING ACCEPTANCES. BLEWITT v. MORGAN.—The plaintiff in this case was one of the registered officers of the Monmouth and Glamorganshire Joint-stock Banking company, and the action was

brought to recover 309*l.* odd, being the amount of two bills of exchange drawn by John Morgan, and professing to have been accepted by the defendant.

It appeared upon the production of the instruments that the acceptance was not in the handwriting of the defendant, but for the plaintiff, John Morgan, the drawer of the bills, was called, who deposed that he was the son of the defendant, and that the defendant's signature was, with the defendant's permission and by his authority, annexed to the bill, by Mary Morgan, the defendant's daughter, and the sister of the witness.

John Jones, brother-in-law of the former witness, was then called. He stated that he had never become security for his brother-in-law, but, upon the production of the bills in question, it appeared that they were endorsed by him, and that it was upon the credit of his endorsement that they were cashed at the bank.

The most extraordinary part, however, of the whole case was the defence, which consisted in the fact that Mary Morgan had accepted the bills in her father's name without his authority or knowledge, and merely for the purpose of accommodating her brother; that she had in fact committed forgery upon her father for her brother's advantage, and had been in the habit of transacting business in the same way for several years. Mr. Morgan, the defendant was seventy-six years old. The above was proved by the evidence of Mary Morgan herself.

Having been asked, in her cross-examination, whether it had never occurred to her that there was any

impropriety in the commission of forgery, and whether she had never hesitated about doing an act for which she was liable to transportation, she replied, that it had never occurred to her to think about it at all, that she relied upon her brother's integrity, and never expected to be troubled upon the subject one way or other. She stated at the same time, that her father had assigned over to her all his property and business (that of a spirit-dealer at Newport), and that the assignment was accompanied by a condition, that she should pay all the existing debts of the establishment.

Mr. Justice Patteson, in addressing the jury, said, that the case was one of the most extraordinary which had ever come under his notice, and that some of the testimony would have surprised him very much, if he had not had some experience of the morality of that part of the empire from which these parties had come. John Jones had sworn that he had never become security for the witness Morgan; and yet the very bills upon which this action was brought, and which were accepted in John Morgan's favour, were endorsed by Jones, to procure their admission at the bank. With regard to Mary Morgan, if her evidence was true, she had committed a crime for which she was liable to be transported any day of her life, so that she was placed in the dilemma of having committed either perjury or forgery. The most astonishing part of the matter was, that she did not seem to think that there was anything particular in her conduct, and she seriously represented that she had forged her father's name in conspiracy with

her brother, and that in so doing she did not think she was doing anything wrong.

The jury found a verdict for the plaintiffs for the amount of their demand.

21. ARCHES COURT. GRANT AGAINST GRANT.—Sir H. Jenner gave sentence in this case, which was a suit promoted by captain Alexander Grant against Maria Theresa his wife, for separation by reason of adultery alleged to have been committed by her. The facts of the case, the learned judge observed, lay within a narrow compass. The parties were married at Madras in August, 1825, and six children were the issue of the marriage. In 1837 the parties were in China, and returned thence to England in that year on board the *Lord Lowther*, a ship of which captain Grant was owner, and to the command of which, during this voyage, he had appointed a gentleman named Vincent, who had been in the East India Company's service, and with whom the adultery was alleged to have taken place. The learned judge went through the evidence of the witnesses who were on board the *Lord Lowther*, the result of which was, that though an intimacy was observed to have grown up between Mrs. Grant and captain Vincent, no witness could speak to even a proximate act of adultery on board. Two witnesses observed acts of familiarity between them, and their different behaviour in the presence and absence of captain Grant, occasioned some jeering amongst the crew, and some remarks in the midshipmen's berth. The learned judge was, however, of opinion that, had the evidence ended here, there would not have been sufficient to

support a sentence of separation, more especially as captain Vincent was understood to be under an engagement of marriage on his arrival in England. The parties arrived in this country in November, 1837, captain and Mrs. Grant taking up their residence at 5, Regency-square, Brighton. After their arrival, it appeared from the evidence of Jamieson, the nursery-maid, that Mrs. Grant received one letter from captain Vincent, under cover to her (Jamieson), but it did not appear in evidence that Mrs. Grant wrote to him until after their interview on the 20th and 21st of December, previous to which, Mrs. Grant and Captain Vincent had not met subsequent to the arrival of the vessel in England. On the 20th of December captain Vincent came from London to Brighton, and called at Regency-square. Captain Grant was absent—a fact, however, of which it did not appear that captain Vincent was previously aware. He remained at the house during that day, going out in the afternoon with Mrs. Grant and the children for a drive, Mrs. Grant in one fly and captain Vincent in another. Captain Vincent slept in the house, and left after breakfast next morning. The parties were observed during this time to be alone together in the drawing-room, where there was a sofa, and a witness entering the room (the door not having been locked) observed captain Vincent's arm round Mrs. Grant's waist. Captain Vincent slept on the night between the 20th and 21st of December in a room on the ground floor, Mrs. Grant sleeping on an upper floor, one of the children being with her. There was no

evidence of the parties having had any communication during the night, and coffee was brought in the morning to Mrs. Grant and to captain Vincent in their respective rooms. Here again, the learned judge observed, there was not sufficient evidence of any criminal intercourse betwixt the parties, though the circumstance of captain Vincent's sleeping in the house being carefully concealed from the knowledge of captain Grant, was calculated to excite the suspicion of the court. The bed had been borrowed for the occasion of the person to whom the house belonged, and he was desired not to charge for it in the bill to captain Grant, Mrs. Grant declaring that she would pay for it herself. In February, 1838, captain Grant, happening to call at the Jerusalem Coffee-house, and to look into the pigeon-holes of the box where letters were deposited, found to his surprise four letters addressed to captain Vincent in the handwriting of Mrs. Grant. On ascertaining their contents, he proceeded to Brighton with his solicitor and another gentleman, and the discovery was disclosed to Mrs. Grant, who at first denied that she had sent any letter to captain Vincent of which her husband was not cognizant, and spoke of a conspiracy against her; but on the letters being produced she declared she had not been guilty of adultery with captain Vincent; that "though her mind might be contaminated, her body was pure." It was necessary for the court to examine the contents of these letters, in order to see what was their true construction, and how far they were connected with, and elucidated the nature of, the antecedent intercourse between the

parties. The learned judge then read the following letter (which was written partly in English and partly in French, Mrs. Grant being a French creole of the Mauritius), commenting upon its language as he went, and remarking that it bore date the day after captain Vincent's departure:—

"Brighton, Dec. 22, 1837,
12 o'clock at night.

"My dearest Arthur,—Those only who have suffered them can tell the unhappy moments of separation. O, my Arthur, let me speak in a language so well [then in French] understood by you, and which being more familiar to me, I wish to express to you the sentiments of my oppressed heart. Since you have disappeared from before my eyes, I have experienced the most cruel sensation. Exactly, I can tell you, in the simplicity of my heart, that the comparison absolutely is as if you had appeared to me like that beauteous star, which in nature gives, by its influence, life to the dying plants, and in whose absence that which is most brilliant is seen to wither and decay. I believe, Arthur, that we were formed in heaven to be so closely united in this life; for, in truth, with the sublime sentiments and the sympathy which we feel towards each other, how delightfully would our lives have passed together! Yes, my beloved Arthur, your Maria is virtuous, and possesses a heart which would have rendered you for ever happy. Never should we have seen a cloud approach our heads; all my joy would have been in thinking how to prove to you from day to day how delightfully life flows on, when hearts and delicacy of sentiment are united, as much as two creatures can be, the one with the

other. Now, I consider myself, in the silence of this night, lonely as the solitary dove, of which our love is the emblem in the fidelity of our hearts, inflamed with a delicious sentiment, which has made us experience that which the crowns of sovereigns cannot in an equal degree possess. With this idea your faithful Maria will, while life endures, never cease to cherish and respect you. Have a care, O my Arthur, not to neglect your friend. More than that, be the physician who ought to cure me with prudence, for my life is linked to you; you are all to me in this world. This is not alone the idea of exalted love, but it is very serious. Let us take our precautions: let us be prudent with each other. Write to me at the end of this week, under cover, and address to Margaret Jamieson, 5, Regency-square: it is better, because the good Margaret likes you, and as she receives many letters from her friends in Scotland, it will not cause any suspicion. Have patience; and with prudence we shall, in despite of the jealous, be favoured. My wish will be, that I may at my last sigh entertain those ardent flames which you have implanted in my breast. (Then in English.) Adieu, my dearest Arthur; I sincerely hope to hear something soon from you. I am so wretched, that I am sure God will have pity on your poor and devoted friend. Believe me yours ever most affectionately, M. G.—Pray do kindly excuse my handwriting; but I am so nervous, that I cannot do anything well—it is a *madness!* Adieu.”

“Brighton, Dec. 29, 1837.

“My dearest Arthur (in French),—I could not pass these solemn days without expressing to

you all the wishes of this heart so devoted to you in everything which is most exalted in love. I cannot contemplate without extreme emotion the state in which I was when you bade me adieu. (Then in English.) This very day last week, I may say,—fixed in her choice, and faithful but in vain,—see me neglected on the world's rude coast, the dearest companion of my voyage lost. O, my Arthur (in French), when may I hope to see you again?—if it were possible in your journey only for half a day, like the brilliant lightning, which illuminates the uncertain steps of the traveller. I render thanks to that divine Providence, so infinite in all the profusion of its blessings upon my sweet family. My husband is very good and attentive in all things, which any other but myself would appreciate; but I am not worthy; I have not the power (or I am powerless—*Je n'ai pas de pouvoir*); you alone are enabled to bring me to reason; but at present all my weak nature is absorbed but in you alone. (Then in English.) Adieu. Believe me yours ever most affectionately, M. G. Pray do excuse this in haste.”

“Brighton, New Year's-day.

“My dearest Arthur,—I begin this day in offering my heart to God to bless yourself and my blessed family. I am obliged to go to London to-morrow for a week. You will be sorry to hear that your Maria has received, two days ago, the most afflicting intelligence that has reached her. I pray to God to comfort me and to enable me to sustain this heavy stroke with that resignation to his will which none but himself can give. I may say, O my Arthur, with the poet—

'Doomed as I am in solitude to waste,
The present moments and regret the
past.'

deprived of every joy I valued most, (my love torn from me), and I have lost my blessed mother. (Then in French.) The next week will make a very melancholy impression on my heart, when I reflect, in the bitterness of this oppressed heart, that your unfortunate and too faithful Maria will be clad in the sad garments of deep mourning, and without the hope of hearing your cherished voice to console her. (Then in English.) O, Arthur, think of your own, own devoted Maria. (In French.) I acquaint you with my sorrows because I know your precious heart. I am obliged to finish my letter, as my head is very confused. I ought to take care of myself, as I am still very delicate. (In English.) Believe me, yours ever most affectionately, M. G."

The learned judge remarked, that but for the seriousness of the subject, the manner in which the death of her mother was mentioned would be ludicrous. These three letters, written immediately after the visit of captain Vincent, taken in conjunction with the other circumstances of the case, left no reasonable doubt that adultery had taken place between the parties. It was not necessary for the court to say where and when the adultery had been committed. A fourth letter, also read in court, which had been written by Mrs. Grant to captain Vincent (with the assistance of the governess) with the knowledge and concurrence of her husband, was of a very different character from her other letters: it was a proper and becoming letter. Sir Herbert remarked, that it had been said that this would be the

first time the court would come to a conclusion of an act of adultery on the evidence of letters alone, and the case of "*Hamerton v. Hamerton*" had been referred to, in which such letters had been held insufficient. But in that case the letters had been addressed from the seducer to the wife, and they were of a nature to show that her seduction had not been completed, the character of the seducer being such that he would not have left the fact in doubt. Moreover, in that case, there had been no opportunity, as in this, for the commission of the offence. On the whole, he could not honestly come to any other conclusion than that an act of adultery had been committed, and that captain Grant was entitled to the separation he prayed.

24. POISONING AND SUICIDE. BATH.—Mrs. Tugwell, lady of the senior partner in the Bath bank, poisoned herself and her two young children. She had been walking out with three of her children on the afternoon of Thursday; and on coming home, she desired the butler to give her a decanter of Sherry, and took her children into a summerhouse in the garden, saying she was going to give them a treat. Having proceeded there, she mixed some prussic acid with the wine, which she administered to the three children, and then took some herself. Fortunately the eldest boy (ten years of age) did not like the taste of the wine, and drank only a small portion, which caused him to sleep; and upon awakening, he found his mother sitting apparently asleep, with his two brothers, who were twins of eight years of age, the one lying at her feet, and the other across her breast. Finding himself very ill,

and having in vain tried to awaken them, he rushed to the door, which he found locked; but at length succeeded in alarming the house, when the servants found their mistress and the children dead. The poor lady had suffered from an attack of fever during her last confinement, and, it was supposed, had never been perfectly sane since. Her age was thirty-one. She was universally beloved for her numerous acts of kindness and charity. A coroner's jury found a verdict of insanity. Mr. Tugwell, the husband, had only two days before buried his father; and an intimate friend had poisoned himself the week before. Probably this act suggested a similar one to the diseased mind of Mrs. Tugwell.

25. *Hoy v. Bush*.—The plaintiff in this case was a respectable horse-dealer, carrying on business at Dartford, in partnership with his father. Some time in the last year a mare was alleged to have been stolen from Baldock, in Hertfordshire, the property of John Goss. A person afterwards gave information, and a man of the name of Read was apprehended for the theft, but the informant also charged John Hoy as being a confederate, and a warrant was issued for his apprehension. This warrant was put into the hands of the defendant, who came up to Smithfield market in September last, in order to look out for John Hoy, and a petty horsedealer, named Folly pointed out the plaintiff (whose name, it should be observed, was Richard) as that person. In consequence of this, in spite of all remonstrance, this young man was dragged in open day from the company of his father and several respectable companions to the Compter prison,

where he remained for twenty hours, and treated as a common felon. On the next day he was handcuffed, and placed in an old cart behind a jaded horse, and conveyed thus degraded to Buntingford, thirty-six miles distant, to have a hearing before a magistrate. When he arrived there, Frederick Goss, the son of the assumed prosecutor, declared that Mr. Hoy was not the man who had been pointed out on a former occasion at a provincial fair, and he was offered his liberty, which the plaintiff refused to accept, but insisted on being taken before a magistrate, by whom he was discharged. It was for this outrage upon the liberty of an Englishman, and the degradation which he had undergone, that this action was brought.

For the defendant, it was urged that though he had certainly made a mistake, it could not be considered that he was actuated by malice, as the parties were unknown to each other. No more coercion was used by the defendant than what was necessary for safe custody, supposing he had made a proper caption.

The jury returned a verdict for the plaintiff—damages 30*l.* and costs.

30. *THE QUEEN v. LAWSON*.—The defendant in this case was called up to receive the judgment of the Court of Queen's Bench, for a libel against sir John Conroy, which appeared some time before in *The Times* newspaper.

The attorney-general, for the defendant, observed that *The Times* had now been published for forty years, and this was the first time in which any one connected with that paper had been placed on the floor of that court for judg-

ment. He, therefore, trusted that their lordships would be of opinion that this was a case in which, without detriment to the ends of justice, mercy might be extended to the defendant.

Mr. Theaiger, for the prosecution, in reply said, that from first to last the defendant had not uttered one word of regret for the injury which he had endeavoured to do to the character of Sir John Conroy. It was admitted that the defendant was not the author of the libel. He therefore trusted that the court would so apportion the punishment, as to make those who stood behind the defendant feel the severity of its sentence as much as the defendant himself.

The sentence of the court, as pronounced by Mr. Justice Little-dale, was—"that the defendant be committed to the custody of the marshal of the Marshalsea, for the space of one calendar month; that he pay to her majesty a fine of 200*l.* and that he be further imprisoned till such fine be paid."

FEBRUARY.

DYER v. HAZLEWOOD.—In the Court of Common Pleas, an action was brought against Mr. Hazlewood, a gentleman of fortune residing in the county of Sussex, and a justice of the peace, for defamation and malicious prosecution. The plaintiff in the early part of the last year engaged in the defendant's service as butler and footman, his wife being hired by the defendant at the same time as cook. On the night of Saturday, the 21st of April, 1838, a robbery was committed on the defendant's premises, when various articles of plate were stolen.

Early on the following morning the plaintiff informed his master of the robbery. An examination then took place, when it appeared that the bar of the dining-room window had been bent, as if it had been forced in, and the window opened. An officer from London was sent for, who examined the premises on Monday, and upon his being informed that the window in question had been fastened over night, and perceiving no marks of violence on the outside, he came to the conclusion that the robbery had been committed by some person in the house, and that the bar of the window had been forcibly bent, to create the appearance of its having been burglariously broken open from without. This opinion of the officer was further strengthened by various minute circumstances. The defendant suspected the plaintiff on these grounds, and also from his manner, of having been a party to the robbery, and he consequently discharged him from his service, paying him a month's wages. His suspicions becoming stronger afterwards, he made inquiries amongst some of the plaintiff's friends for his address, and when so doing repeatedly stated his belief that he was the party who had robbed his house. These statements constituted the ground upon which the count for defamation was founded. Having ascertained where the plaintiff was lodging in London, the defendant procured a search-warrant and searched his boxes, but found nothing corroborative of his suspicion, except a chisel and hammer, the latter of which was claimed by the landlord of the house as belonging to him. Mr. Hazlewood next had the plaintiff summoned to Bow-street,

C

when the charge underwent investigation before Mr. Twyford, who was of opinion that it was not borne out by the facts stated to him, and therefore the plaintiff was discharged. He had, however, been previously confined in Clerkenwell prison. The defendant subsequently preferred a bill of indictment against him for the alleged burglary at the following Leves assizes, which bill, however, was ignored by the grand jury. These were the leading circumstances which appeared in evidence; and it was contended on the part of the plaintiff that there was nothing to warrant the imputation which had been cast upon him, and which was consequently wanton and malicious, and calculated to inflict upon him the most serious injury. On the part of the defendant, it was contended that the circumstances detailed in evidence proved that the charge made against the plaintiff was true, or if not, that at all events they were such as to warrant the defendant in entertaining a firm belief that it was true, and showed that he had *bond fide* acted throughout upon that belief.

The jury returned a verdict for the plaintiff, damages 200*l*.

2. DEATH FROM DRINKING.—A coroner's inquest was held in Vine-street, Piccadilly, on the body of James Johnson, whose death took place in consequence of a large quantity of gin having been improperly administered to him by a young gentleman, named William Jones Burdett, nephew of Sir Francis Burdett.

It appeared that about eight o'clock in the morning, a poor half-witted, half-starved individual, named James Johnson, who subsisted upon occasional charity,

was brought to the station-house in Vine-street in a dying state. It being ascertained that the unfortunate man had swallowed a large quantity of gin, the stomach-pump was immediately applied, but medical skill was of no avail, and the man died within an hour or two after his admission into the station-house; Mr. Burdett called shortly after at the station-house to learn how it fared with the man, and the inspector, finding the young gentleman was in a state of intoxication, took him in custody on a charge of drunkenness.

In the investigation which took place before the police magistrate into the cause of Johnson's death, Mr. Burdett at first asserted that he had given the deceased some gin out of kindness to the man, who complained of being cold, and asked him to treat him; but he afterwards admitted (what was indeed proved by several witnesses) that he had made a wager on the subject, and given the unfortunate man 5*s*. as a bribe to induce him to drink off a bottle of pure gin. After swallowing it, the deceased, who was represented as a most dirty drunken person, was seen to walk away arm in arm with Mr. Burdett and another gentleman (?), but shortly afterwards became so ill, that he was conveyed to the station-house in a state of insensibility, where he died in little more than an hour.

The jury returned the following verdict:—"That the deceased died from apoplexy, caused by swallowing a great quantity of gin, and that it is very reprehensible in Mr. Burdett and another gentleman, in giving 5*s*. to the deceased to take such a quantity in a short time."

It is proper to add, that Mr. Burdett expressed much contrition for his behaviour.

— **MURDER NEAR LENHAM, KENT.**—A dreadful murder was committed at Otterden. A small farmer and his wife, named Jenkins, being desirous of spending the evening at a wedding party, had engaged Hannah Giles, the wife of a rat-catcher, who lived about a quarter of a mile distant, to take care of their four children in their absence. The children, after having waited for some time for Mrs. Giles to come and make their tea, sent one of the younger ones to see why she did not come. He shortly returned much frightened, saying that he saw some person lying on the snow in the road, with a light as if smoking a pipe. This alarmed the children so much that they locked themselves in, and remained so till the return of their parents at about one or two o'clock in the morning. Mr. Jenkins and his wife then went towards Mr. Giles's cottage, and saw the body of the unfortunate woman lying in the snow, which was stained with blood, from a shot wound in her breast, and a dreadful gash in her throat. Her clothes had been partly burned from her body, having apparently been ignited by the shot of a pistol, which was lying beside her, together with a sheath of a razor. Footmarks were traced in the snow through the fields by a circuitous route towards Lenham. In one place the person tracked seemed to have fallen on his hands and knees in getting through the gap of an hedge, and marks of blood were traced on the snow where his left hand had fallen. The pistol was identified by a blacksmith, as one

which he had sold about a fortnight before to Samuel Seagur, a shoemaker, living in the adjoining parish of Stalesfield, and who had been staying with the deceased, in the absence of her husband, from ten o'clock till twelve on the day before the murder, when he went towards home. He had been seen casting bullets a few days previously, and took out the above-mentioned pistol at two o'clock. He was afterward seen at Charing in the course of the afternoon. Seagur was a widower, and his intimacy with the deceased had been the subject of much remark amongst the neighbours. The three younger children of the deceased were left in the care of a woman of about eighty years of age, within a stone's throw of the place of the murder. The two eldest were passing along a footpath in a field in their way to the old woman's cottage, at about half-past six o'clock in the evening, and heard the report of a shot, and some female immediately afterwards screamed several times. They told the old woman what they had heard; but she was too decrepit to give any alarm, and the whole remained together in much dread till they were informed of the extent of their affliction.

An officer was immediately despatched in search of Seagur. He was apprehended, tried for the murder, found guilty, and executed at Maidstone on the 28th April following; having previously confessed his guilt.

6 and 7. **CASE OF ABDUCTION.**—The Court of Queen's Bench, Dublin, was occupied during two days in the trial of *Tucker v. Peter Yore, Thomas Flood, Michael Bradley, Mary Meehan, and Ann Cooney*. The former for alluring

and marrying the daughter of the late colonel Tucker, and the other prisoners for conspiring and assisting.

The facts of this case were given in our last number (Sept. 22). Nothing additional appears to have been elicited on the trial, except the assertion of a priest named Father Yore, that Miss Tucker had repeatedly urged him to re-marry her to Peter Yore (the principal party accused). This fact, however, the young lady denied.

The jury returned a verdict of *guilty* against all the traversers. Sentence was deferred until the decision of some points saved during the trial by the prisoner's counsel.

8. TRIAL OF ONE OF THE SECONDS IN THE DUEL ON WIMBLEDON COMMON.—Edmund Delves Broughton pleaded guilty to the charge of aiding and abetting Francis Lionel Eliot to kill Charles Flower Mirfin. It appeared that the prisoner was a very young man, and was in fact only a nominal second in the duel. He had also endeavoured to prevent the second fatal shot from being fired. The counsel for the prosecution applied for the merciful consideration of the court. Baron Vaughan said, he had ascertained from the depositions that the case of the prisoner was very different from that of the other parties to the duel. He should therefore recommend a sentence of imprisonment, certainly not exceeding that imposed on the other persons engaged in the duel. Judgment of death was then recorded against the prisoner.

11. INFANTICIDE. CENTRAL CRIMINAL COURT.—Jane Reeves, a young woman, 21 years of age, cook in the service of Messrs. Jones and Chatfield, linen-drappers,

No 3, City-road, was charged with having wilfully murdered her infant, one of whose arms had been found in a dust-hole at the residence of her employers in the City-road.

The head, which had likewise been cut off and the body were found in a ditch in the New North Road, Hoxton. There were various bruises on the head and body, which appeared to have been inflicted by knocking the infant against some hard substance.

Alfred William Wise, a serving-boy at the Blockmaker's Arms, Ashley-crescent, stated that about 1 o'clock in the afternoon of the 24th of January he was crossing the Shepherdess-fields with beer, and, opposite to the Bricklayer's Arms, in the New North-road, he saw two boys looking into the ditch, and one of them said, "here is a child with his head off." Witness saw the head, and at a little distance the body, wrapped up in a weekly newspaper. The left arm had also been cut off. Witness described certain appearances about the body, from which it was evident that the mother had not had medical attendance at the birth of the child. The neck was jagged, as if the head had been severed by a rough instrument. The body did not appear to have been long in the water; it was wrapped in the half of the *Weekly Dispatch*, dated July the 8th, 1838. It had no other covering on the body. He saw no suspicious persons about the spot at the time; but on the previous evening as he was going in the same direction with his beer, he observed a woman near the ditch, with a basket in one hand, and a blue bundle in

the other. She wore a brown cloak and white bonnet, and had the appearance of a servant. He heard her sigh heavily, and feared she was going to drown herself. On seeing him she retraced her steps and passed him. Her hair hung over her face as if for concealment. He went on, and on his return he looked, but saw no more of her. Mr. Preedy, of Chapel-street, Pentonville, a surgeon, coming by at the time of the discovery, told him to go in and get the head and body out, but before he could do so one of the boys jumped in, and placed both on the bank.

Mr. Preedy corroborated the testimony of the last witness as to the finding of the head and body. His opinion was that the head had been severed by some sharp instrument. He thought the child had been born alive, without receiving the requisite attention at the birth, and afterwards killed by dashing it against a wall, and that the head and arm had been cut off after death.

Police inspector Rawlinson, of the G division, found the arm of an infant corresponding precisely with the mutilated trunk, in the dust-hole, at Messrs. Jones and Chatfield's, on the day after the Coroner's Inquest. The prisoner, who was the cook, at first denied all knowledge of it, but afterwards acknowledged that she had given birth to, and concealed in the dust-hole, a child, which she said was still-born; and being told that the arm had been found there, she declared that the other parts must be there also. The dust, however, was cleared out, and particularly examined, but nothing further was discovered.

Mr. Chatfield, the prisoner's master, said that about a fortnight before the finding of the body, the prisoner was taken ill and obliged to go to bed earlier than usual, but, on the following day, she resumed her household duties. Her mistress had entertained a suspicion that she was *enceinte*, and taxed her with it, but she positively denied it.

Elizabeth Reeve, a fellow-servant of the prisoner's, stated that, at the time mentioned by their master, she was aware of the illness of the prisoner, who slept with her, and that she had heard a child cry, but she denied all subsequent knowledge of it.

Grove, an officer, in the waiting-room, stated that the prisoner, in reply to some remark of his, had said, that she had a still-born child and put it in the ditch, but did not know the head was off.

The body, when found, was wrapped in part of the *Weekly Dispatch* newspaper, of July 8, and Mr. Chatfield said that he did take in that paper; but he did not file it, and could not say anything with respect to a paper of that particular date.

The jury acquitted the prisoner of the murder, but found her *guilty* of endeavouring to conceal the birth of the child.

The prisoner was sentenced to be imprisoned for two years in the House of Correction, with hard labour.

12. MANSLAUGHTER. IN THE CENTRAL CRIMINAL COURT.—A verdict of manslaughter was given against John Bull, a clerk in a merchant's counting-house in the City, for killing William Rushbrooke, a cabman. The deceased, with four other cabmen, had been drinking on a Saturday night in

several public-houses in and near Hoxton, in the Kingsland-road; and about one o'clock they were seen "larking" and insulting everybody that passed. Robert Asplin, one of the party, got upon Rushbrooke's back, who carried him some distance, and then fell. Rushbrooke got up and ran beyond his companions some yards; when, according to the imperfect evidence, he either met or was passed by the prisoner, who stabbed him under the right arm-pit, and then ran away. Bull met two policemen, to whom he said, "I throw myself on your protection; I have been attacked by six men, but I am safe now." A large Spanish knife, with a spring at the back, and sharp on two sides, was found on him, covered with blood. The wounded man died before a surgeon arrived. The part of the road where the affair happened is very lonely, and the prisoner had been robbed there some time ago. His connexions were respectable, and he had borne a good character. He was sentenced to be imprisoned in the House of Correction and kept to hard labour for three years, three months of the time to be passed in solitary confinement.

CORRESPONDENCE BETWEEN LORD JOHN RUSSELL AND MR. FROST; A MAGISTRATE FOR THE BOROUGH OF NEWPORT, MONMOUTHSHIRE, AND A DELEGATE FOR THAT COUNTY TO THE NATIONAL CONVENTION.—The notoriety which unhappy events attached to Mr. Frost's name, before the close of the year, will be our excuse for inserting the following correspondence of which the result was, that Mr. Frost's name was struck out of the commission of the peace;—

"Whitehall, Jan. 16.

"Sir,—I am directed by Lord John Russell to request you will inform his Lordship whether it is true that you are a delegate to a body calling itself 'The National Convention,' and whether, on the 1st., you attended a meeting at Pontypool, at which violent and inflammatory language has been used? Lord J. Russell wishes to know the correctness of these reports, which, if true, will render it incumbent on his Lordship to recommend to the Lord Chancellor the erasure of your name from the commission of the peace for the county of Monmouth.

"I have the honour to be, Sir,
"F. MAULE."

"—Frost, Esq., Newport.

"Newport, Monmouthshire,
Jan. 19, 1839.

"My Lord,—In your lordship's letter of the 16th there is a mistake. I am not a magistrate for the county of Monmouth, but for the borough of Newport, in the county of Monmouth.

"In the spring of 1835, the council of the borough recommended me as a proper person to be a justice of the peace. I was appointed, and I believe that the inhabitants will bear honourable testimony as to the manner in which I have performed the duties of that office. Whether your lordship will retain my name or cause it to be erased, is to me a matter of perfect indifference, for I set no value on an office dependent for its continuance, not according to the mode in which its duties are performed, but on the will of a Secretary of State.

"For what does your lordship think it incumbent to get my name erased from the commission

of the peace? For attending a meeting at Pontypool on the 1st of January? If the public papers can be credited, your lordship declared that such meetings were not only legal but commendable. But 'violent and inflammatory language was used at that meeting.' By whom? not by me. I deny that violent and inflammatory language was used, and I call on your lordship to prove the truth of the charge. I will go further and say, that at no meeting at which I was present was violent and inflammatory language used. There was a time when the Whig Ministry was not so fastidious as to violent and inflammatory language uttered at public meetings.

"By what authority does your lordship assume a power over conduct of mine unconnected with my office? By what authority does your lordship assign any action of mine as a private individual, as a justification for erasing my name from the commission of the peace? Am I to hold no opinion of my own in respect to public matters? Am I to be prohibited from expressing that opinion if it be displeasing to Lord J. Russell? If in expressing that opinion I act in strict conformity to the law, can it be an offence? If I transgress, is not the law sufficiently stringent to punish me? It appears from the letter of your lordship that I, if present at a public meeting, should be answerable for language uttered by others. If these are to be the terms on which Her Majesty's commission of the peace is to be holden, take it back again, for surely none but the most servile of men would hold it on such terms.

"Is it an offence to be appointed a delegate to convey to the constituted authorities the petitions of the people? Why, my lord, have we not had for many years delegates sitting in London during the session of Parliament to superintend the presentation of petitions to enact, alter, or repeal laws? Can it be a crime for a person to be appointed at a public meeting, to get laid before the House of Commons a petition, praying that the legislature will restore the ancient constitution of the country? I know of no body calling itself a convention. Your lordship is aware that a convention existed at one time in this country. Your lordship is aware what that convention did, and that its acts are called glorious.

"I was appointed a justice of the peace to administer the laws within the borough of Newport. Was the appointment made that the inhabitants might benefit by the proper exercise of the authority intrusted to me? Or was it made to be recalled at the will of your lordship, although the inhabitants might be perfectly satisfied with the performance of the duty? Your lordship receives a very large sum of money for holding the office of Secretary of State, paid, in part, out of the taxes raised on the inhabitants of the borough. Does your lordship owe them no duty? For what is your lordship invested with authority? To be exercised merely at the caprice of your lordship, regardless of the effects that may follow? I have served the inhabitants for three years zealously and gratuitously, and the opinions which I have formed as to the exercise of public authority teach

me that they, and not your lordship, ought to decide whether I ought to be struck off the commission of the peace.

"Filling an humble situation in life, I would yield, neither to your lordship nor to any of your order, in a desire to see my country powerful and prosperous. Twenty years' reading and experience have convinced me that the only method to produce and secure that state of things is, a restoration of the ancient constitution. Deeply impressed with this conviction, I have laboured to obtain the end by means recognized by the laws of my country—petition; and for this your lordship thinks I ought to be stricken off the commission of the peace! Violent and inflammatory language, indeed! I am convinced that in my own neighbourhood my attending public meetings has tended to restrain violent language. Does your lordship wish that the peace should be preserved? I have always been a preserver of the peace, and of this your lordship may be convinced by applying to the duke of Beaufort and lord Granville Somerset.

"Probably your lordship is unaccustomed to language of this description; that, my lord, is a misfortune. Much of the evils of life proceeds from the want of sincerity in those who hold converse with men in authority. Simple men like those best, who prophesy smooth things.

"I remain yours,

"JOHN FROST.

"*To Lord John Russell, &c.*"

"*Whitehall, Jan. 24.*

"Sir,—I am directed by Lord John Russell to acknowledge the receipt of your letter of the 19th

inst. in reply to my letter of the 16th inst.

"You appear entirely to have mistaken the import of Lord John Russell's communication, when you attribute it to an objection to your individual opinions. With them, whatever they may be, he has no desire to interfere; but he does consider it to be his duty, as responsible for the peace of the country, to see that no man carries his opinions into practice to the danger of that peace, and with the risk of spreading alarm through the community.

"If he felt it his duty to act so towards an individual unconnected with any official responsibility, how much more is he called upon to notice such conduct in a magistrate? And it was under this impression that my letter was, by his direction, addressed to you.

"By your answer you disclaim all intention to excite the people by inflammatory language to violent and dangerous courses. You should have done more, in Lord J. Russell's opinion; it was your duty to have discouraged to the utmost of its power its use by others. But he trusts that by your example you will act up to your assertion, for he holds, that not less benefit is conferred upon the people by a wholesome example on the part of the magistrates, than by their strict and impartial dispensation of justice; for, if they whose duty it is to administer the law are amongst the first to trench upon its limits, they cease to enjoy the confidence of the people, and afford encouragement to the evil-disposed portion of the community.

"With such opinions Lord John Russell considered himself bound to call upon you for an

explanation of your attendance on the various meetings to which he alluded; and likewise as to the fact of your being a delegate to a body calling itself 'a National Convention,' of which he is glad to hear the existence denied, except as a committee to watch over the fate of certain petitions intended to be presented to the legislature.

"In these circumstances no immediate steps will be taken with respect to your position as a magistrate; and Lord John Russell trusts that you will abstain from countenancing any violation of the law, and assisting at meetings where others assemble for such disorderly purposes.

"I have the honour to be, &c.,

"F. MAULE.

"*John Frost, Esq., Newport,*
"*Monmouthshire.*"

"*Whitehall, Feb. 12.*

"Sir,—I am directed by Lord John Russell to inform you that in the newspaper called the *Dispatch* of the 10th inst., there is an article, headed *The People's Parliament*, which contains the following paragraph:—'Mr. Frost, from the borough of Newport, in Wales, and delegate for Monmouthshire also returned thanks. A few days since he received a letter from Lord John Russell, to the effect that if he should perform his duties as delegate, the Lord Chancellor should be directed to erase his name from the commission of the peace. He (Mr. Frost) wrote a spirited reply, and receive an answer from Lord John, assuring him he had mistaken his lordship's letter. However, here I am (added Mr. Frost), a delegate and a Magistrate, and if Lord John takes my name off, the people will put it on.'

"Lord John Russell requests that you will inform him whether the words underlined in the above paragraph, or any other similar words tending to the same effect, were used by you at any public meeting.

"I am, Sir, yours &c.

"F. MAULE.

"*To John Frost, Esq., Johnson's Coffeehouse, Bolt-court, Fleet-street.*"

"*Johnson's Coffeehouse, Bolt-court, Fleet-street, Feb. 14.*

"My Lord,—I received Mr. Fox Maule's letter of the 12th, written as it appears by the direction of your lordship. I once more beg to inform the Secretary of State, that I will not acknowledge his authority to question me as to language which may or may not be uttered by me as a private individual. If in speech or writing I should use language which Lord John Russell may deem personally offensive, I will, if requested, avow, deny, retract, or apologize, according to the circumstances of the case.

"I, too, will put a question. It appears from the newspapers, that your lordship, in answer to Mr. Praed, said that 'it was true that on observing in the public prints, and his attention having been called to the fact, that Mr. Frost had attended public meetings of a violent character, &c., in his answer, which was at very considerable length, he stated that he certainly had attended meetings at which there were made some speeches of a violent character, but that he was not answerable for such language, and did not approve of it.' Did your lordship tell the members of the House of Commons that it was a fact that I had attended meetings of a violent character? That I

had stated I certainly attended meetings at which there were some speeches made of a violent character? I wait for the reply of your lordship, and, when I receive it, I will deny or admit I uttered the language contained in the letter of Mr. F. Maule.

"I remain, &c.

"JOHN FROST.

"To Lord John Russell, &c."

13. EXTRAORDINARY IMPOSITION.—Mary Cook, a young woman whose countenance was shockingly disfigured, was brought up at Hatton Garden police-office, charged by Mr. Gay, one of the surgeons of Greville-street Hospital, with having practised the following imposition:—

Mr. Gay, being sworn, stated that some time ago the prisoner applied for admission with the whole of her face disfigured in so shocking a manner that every body who beheld her felt the utmost sympathy, and she was immediately admitted and attended to, and in a short time was cured and discharged from the hospital. In the course of a short time, however, she returned with her face in the same state, and she was again admitted, and being again cured she was discharged. In a few days afterwards she again made application, and her face exhibited the same frightful appearance, and the whole of the doctors were amazed at so extraordinary an occurrence and could not account for it, as the prisoner said that it came suddenly upon her. She was again recovered and discharged, but she made her appearance a fourth time, in the same awful condition, and she was again admitted into the hospital. Witness, however, had an interview with the physician of St. Bartholemew's Hospi-

tal, and on mentioning the case to him, he informed witness that the prisoner had been in that hospital under similar circumstances, and he had no doubt that it was an imposition practised by her, and that she had some means of giving her face the frightful appearance which it bore. Witness determined on making rigid inquiries and search, and in a bag which she had in the ward, he found some blistering salve, a powder of an irritating quality, which if rubbed on the flesh would cause the appearance of blisters and inflammation, such as the prisoner's face now exhibited. Witness had no doubt but she had practised the imposition upon, and had been in, all the hospitals in London.

The magistrates informed Mr. Gay, that unless he could swear that she did apply it, she could not be committed to the House of Correction; there must be direct proof of her so doing.

Mr. Gay said, that the evidence of finding the stuff in her possession was all that he could produce; whereupon the prisoner was discharged, and left the office denying the charge.

14. BOAT'S CREW DROWNED. WALS.—A melancholy loss of lives was occasioned by the swamping of the Porthcawl Preventive Service boat, on the night of Thursday, the 14th. The crew, consisting of five excellent sailors, and a respectable young man of Nottage, in the preventive boat, in company with the pilot-boat, likewise belonging to Porthcawl, being apprised by the look-out that a wreck with human beings on it, was discernible in the direction of the Skerweathers, immediately put to sea to their rescue, and happily succeeded in picking

up the crew of the brig *Charles* (nine men), who had lashed themselves to a part of the deck, on which they had been driven about the Channel in a dense fog for nearly eight hours. After landing their freight at Porthcawl, they again went out to endeavour to save some part of the cargo of the vessel, and had towed a large part of the wreck to within a short distance of the shore; but the night coming on with thick drizzly rain, and being very dark, it was deemed advisable to make the best of their way back to Porthcawl. The man having charge of the pilot-boat, happily succeeded in landing his men near Newton; but not so the crew of the preventive boat. On the return of the pilot-boat's crew along the coast to Porthcawl, they found the preventive boat driven up by the surf high on the sandy beach, where also the bodies of the unfortunate crew were found on the following day.

— MURDER AND SUICIDE IN PADDINGTON. — Mr. Baker, the coroner, and a respectable jury of tradesmen, assembled at the Fountain Abbey Tavern, Praed-street, Paddington, for the purpose of inquiring into the circumstances connected with the deaths of a young man and his wife, named William and Margaret Lovett, both of whom were on the previous morning discovered in bed, with their throats cut, at their lodgings, in the above named street.

The first witness called was Margaret Ryall, who said—I am the mother of Margaret Lovett, whose deceased partner was a marble polisher, and worked for my husband at his shop in Queen-street, Edgware-road. They had

been married four years, and had one child three years old. Lovett was of a very irritable temper, and I sometimes thought that he was not quite right in his mind. People said he was jealous of his wife, who was a remarkably fine young woman, but I do not know that he suspected any person in particular. Some time before his marriage he fell from a cart and severely injured his head, in consequence of which, he at times, particularly after drinking a little, behaved very strangely. He was exceedingly fond of his child. Lovett was not in the habit of getting intoxicated, and I have no reason to think that he was so on the day in question. The last time I saw him alive was the night before, when he came home between ten and eleven o'clock, and went up stairs. His wife had, with the child, retired an hour before. Neither I nor any one else in the house heard the least noise during the night; but in the morning, about seven o'clock, I heard their child, who regularly slept with them, cry out "Mammy" several times. I went up and knocked, but receiving no answer opened the door, when I beheld the child, whose clothes and face were completely covered with blood, lying at the foot of the bed. I did not stop to examine more, but being dreadfully alarmed ran below, and having admitted some neighbours, sent for a surgeon and the police.

Mr. Philpot, surgeon, deposed, that when he entered the apartment he found the deceased persons in bed deluged in blood, which had flowed from extensive wounds inflicted on their throats; the bodies were still warm, but life was quite extinct, and in all

probability more than an hour had then elapsed from the period of the commission of the deed.

Several other witnesses were examined, from the evidence of some of whom it appeared that Lovett was acting under a most strange delusion with regard to his jealous feelings, and that his intellects had latterly become deranged.

The jury returned a verdict "that William Lovett destroyed his wife, and afterwards himself he being at the time in an unsound state of mind."

15. EXECUTION OF FIVE OF THE CANADIAN REBELS, AT MONTREAL.—Five of the rebels, viz. Hindenlang, De Lorimier, Nicholas, Narbonne, and Daunais, paid the forfeit of their lives for the prominent part they had taken in the late insurrection. The conduct of all was becoming their awful situation, with the exception of the French officer Hindenlang, who previous to his leaving the cell stated to the Rev. Mr. Bethune that, on reaching the scaffold he would address the multitude, pointing out the absurdity of their rising in arms, that he had been deceived respecting the condition of the Canadas, and acknowledging the sentence pronounced upon him to be perfectly just. The feelings of the clergyman may therefore readily be conceived, when the unfortunate wretch, instead of doing so, took the opportunity of declaring to the people assembled to witness his execution, that their cause was a good one, that he died for them, that the British government had not the right to put him to death; concluding by exclaiming, in a theatrical style, "*Vive la Liberté!*" The reverend gentleman did not

fail to express his surprise at his changing his intention, when he coolly answered that he knew he told a lie, but he was sorry for it. Nicholas (who had been a school-master) next came forward and briefly said, that the death he was about to undergo was not undeserved; his life had been a criminal one, and expressed a hope that fathers and mothers would instil into the minds of their children the sentiments of true devotion to their God and of liberality and affection to all mankind; for had he adopted such a course during his life he should not then be placed in that dreadful situation; and finished his address by fervently praying that all his countrymen might take warning by his fate, hoping that every person of every religion, age, and sex, would forgive him and pray for his soul. None of the other unfortunate individuals made any address, but seemed to devote the short time they had to live solely to their religious duties.

17. FALL OF A HOUSE AT EDINBURGH.—About half-past five o'clock in the morning, a tenement in the Netherbow, Edinburgh, immediately adjoining to the house well known as having been the residence of John Knox, fell suddenly to the ground. The tenement was of considerable age, and, like most of the very old houses in Edinburgh, was built in a great measure of wood.

The ground-floor in front was occupied by a grocer, a toymen, and a butcher, in three separate shops; but the other apartments were unoccupied, with the exception of one room, where a family consisting of seven persons was residing. The wife was out of bed at the time of the accident,

and engaged in kindling the fire; her mother-in-law was also up, and was sitting in a chair at the corner of the room—the others were in bed. They were first alarmed by the cracking of the timbers, and the rocking of the tenement, and in a few minutes after the whole building gave way, falling forward into the street. The family of course fell with the house, except the old woman, who was sitting on a part which did not give way; the others fell to the ground, and were speedily covered with rubbish and dust. It fortunately happened that the flooring above them was made of stronger materials than any other part of the building, and it became bent by the superincumbent weight of the ruins into the form of an arch, which formed a shelter to the unfortunate individuals below against the stones and rafters that were falling in all directions. Under this shelter they continued until relieved by the active exertions of the police and others whom the noise of the fall had brought to the spot; and when taken out, it was found that they had all escaped with comparatively trifling injuries. Among them was an infant of about two years old, who escaped with less hurt than any of the others. The old woman who was left at the top when the others fell succeeded in making her way over the ruins to a place of safety.

18. FIRE BLAST. CUMBERLAND MINING DISTRICT.—This was one of those painful disasters unfortunately of frequent occurrence in all mining districts, and occasioned the loss of the lives of no less than twenty-three persons.

The explosion took place in the William Pit, about two o'clock on

a Monday morning, at the distance of about a mile and a half from the foot of the shaft. At that early hour only a small portion of the workmen engaged in the night shaft had entered the mine, otherwise the consequences might have been much more serious. On the Saturday night the chief overman examined minutely that division of the mine in which the explosion took place, and not the least symptom of fire-damp was perceptible. On Monday morning Topping, another overman, examined all the parts of the mine where men were to be employed, save that in which the accident took place, and finding all safe, sent the labourers to work.

The cause of the foul state of that portion of the workings where the explosion occurred, was afterwards ascertained to have arisen from a sudden irruption in the pavement of the mine, some time between leaving work on Saturday night and returning on Monday morning, and the quantity of fire-damp thus set at liberty from a small substratum of coal was so great as to render a considerable area of the adjoining workings explosive. Topping, relying on the examination which had been previously made, most imprudently suffered a lad to follow him carrying an unprotected light, and on entering this place the mine was instantly fired; but the blast proceeding in the opposite direction to that by which they had approached the hidden danger, both escaped with their lives, though not without being much burnt. Of the twenty-three who perished, all, with the exception of two or three, who had evidently been burnt to death, died

from suffocation, caused by after-damp.

The moment this sad occurrence was known to have taken place every means were used to restore the ventilation of the mine, in order that the scene of destruction might be approached. Some time elapsed before this could be accomplished, and several of the stewards and others engaged in this dangerous employment were frequently brought to the pit-mouth, from the unwholesome state of the atmosphere below, in a state of complete exhaustion. At six o'clock in the evening the last body was discovered and brought up.

19. RAILWAY ACCIDENT.—The great velocity of the steam-carriages, and the consequent difficulty of arresting them in their career, renders, as may be naturally expected, accident of very frequent recurrence. Yet although very frightful collisions have repeatedly taken place, generally speaking, the passengers themselves have not been the sufferers, but persons employed upon, or accidentally crossing over, the line of the trains. The following was one among the numerous accidents of this character, and took place on the line of the London and Birmingham railway, near Watford. A labouring man employed on the line was at work not far from the Watford station, when, observing an engine coming towards him on the down rails, he walked across on the other line for the purpose of clearing it, not perceiving that the Birmingham and Liverpool mail train was approaching him at a full pace, in a contrary direction on the very line to which he had crossed. On seeing the man, the guards as well as the

engineers called to him to get out of the way. The poor fellow, however, although he looked at them, was unable to do so before he was met by the post-office van, which was foremost, and dashed to the ground with great violence. Every exertion was made to stop the train, but it was vain, before it had passed over the unfortunate man, nearly severing his legs from his body, and otherwise mutilating him in a shocking manner. He was picked up in a lifeless state.

It will hardly be credited that several people have been mad enough to jump off from the train-carriages when at their full speed, in order to recover trifles they had dropped.

25. FIRE IN DUBLIN.—A fire broke out at No. 28, Mary-street, Dublin, the lower part of which was occupied by a chandler, the upper let in tenements, when a number of lives were lost. Shortly after 12 the flames were observed to burst forth, and before assistance could be obtained the entire building presented one sheet of fire. The fire was at its height before many of the inmates were aware of their danger, and one poor young woman, in her anxiety to escape the horrible death that presented itself, threw herself from one of the top windows, and was instantly killed. A policeman, in endeavouring to catch her, was seriously injured. An unfortunate child was also killed by falling from the windows. A poor man, having effected his escape in descending by one of the spouts in the rear of the house, was driven to distraction at not being able to discover his family, whom he had supposed to have escaped before him. Towards morning four unfortunate beings were dug out of the ruins. They

presented a shocking appearance, having neither arms nor legs; and the remains of three others were at the same time visible in different parts of the house, lying across the half-burnt rafters. It would seem that eight or nine lives were lost. The manner in which the fire originated was not ascertained. One only of the bodies was sufficiently entire to be recognised, viz., that of Miss Price, a dress-maker, employing several young females, who were unfortunately in the house at that late hour, making up some wedding-dresses in unusual haste. On Tuesday Alderman Perrin held an inquest on the bodies of seven females who had perished in the fire. It was proved that much delay took place before water was procured, and that from the violence of the flames Somer's house, in which all the females lost their lives, was destroyed in a very few minutes. A verdict of accidental death was returned.

— MURDER AT DUNDEE.—Arthur Woods, and his wife Henrietta Woods, were tried before the High Court of Justiciary, at Edinburgh, for the murder of John Drew Woods, pedlar, son of Arthur Woods, on the night of the 4th of August, 1838. Both pleaded not guilty. The first witness called was

Duncan M'Nab, watchman in the Dundee police.—Was on duty the night of Saturday, August 4, in Thorter-row, where the prisoner lived. Had occasion to pass their house every half hour. Saw a man lying on his back close to the stair of Wood's house. The body was straight, excepting a bend in the knees. Witness took hold by the collar of the coat, thinking it a drunken man, and then saw the person was dead.

James Low, police sergeant—Had known the deceased John Woods, and on recognising his body proceeded to the house of his father, Arthur Woods. After knocking at the door, Woods came and asked who was there; witness did not say who was there, but called him to open, which he did. The door was fastened. There were in the house, Woods, his wife, and a child about two years of age in bed. Woods had all his clothes on except his coat. He had on a white hat. Witness asked him where John was, to which he replied, he did not know—"He's not here—he shan't be here." Witness then asked the wife, and she said she did not know. Witness asked when she saw him, and she replied, he had been at the door about half an hour ago. On witness asking where he might have gone, she said she thought she heard him fall over the stair. Witness here asked the father if he knew anything about it, when he said something to the effect—"It was not me that did it." When the body was brought to the police office, Dr. Webster was sent for, and examined the body. There was a mark upon it, as of a cord drawn tight round the neck. Witness went back to the house, and brought away some ropes he found in a pantry. Applied the ropes to the indentation in the neck, and found the smaller one to correspond to it.

Andrew Mill, sailor, Thorter-row, heard noise and cries for assistance from Wood's house on a Saturday night, about a week before the death. Saw the prisoner on the top of his son, his hand in his son's neckcloth, and his knee on his breast. John Galloway was with witness, and they separated

them. Woods was pushed into another room, and the wife wished to strike the son with a poker, and to push him from the house. She was violent, and hit witness three times while keeping the strokes from the son.

A Mrs. Scott deposed, that on Saturday the 4th August, she had occasion to come down her own stair. Passed by the back door, and saw John Woods. This was about half-past twelve. He was standing with his arm leaning on the side of the door. She had a candle, and he held the candle till witness came back. Saw him going in the direction of his father's house, and saw him go up part of the stair. He was drunk. Witness went to bed, and while she lay heard a noise, and when she got up she went to the staircase window, four stairs up, looking into the court where Wood's house is. It looks right opposite Wood's house. She then heard the noise come from Wood's house. She thought she heard like murder cried as if far away and in a low-like tone. She then went farther down and looked through a broken pane, and heard the son say, "Don't choke me, father;" in a low and mournful tone as she thought. Heard also as if chairs and tables rubbing on the floor, and as of a head knocking against the floor. She could compare it to nothing else. In reply to "Don't choke me, father;" she heard, "I'll be your butcher before you sleep." Heard Mrs. Woods speaking, but could not say in what particular tone. Heard the same noise as before after the voices ceased.

After some further evidence had been given, and counsel had been heard for the prisoners, the jury retired, and, after an absence of

about half an hour, returned a verdict, finding, by a large majority, Woods guilty of murder; and, by a majority, Henrietta Young or Woods not guilty. Woods was sentenced to be executed at Dun-dee on the 18th of March. He maintained throughout the trial the greatest coolness and self-possession, and at the conclusion denied his guilt in the most positive terms.

He spoke with a strong Irish accent, and appeared to be about sixty years of age. His wife was much younger.

MARCH.

2. EXPLOSION AND LOSS OF LIFE.

—About nine o'clock at night an explosion took place on the premises of Mr. Marshall, a steam boiler maker, in Colchester-street, Whitechapel, which occasioned the loss of two lives, and a serious destruction of property. At six o'clock preparations had been made to test a new boiler, and the operation was superintended by Mr. Marshall himself. A few minutes before nine, Mr. Marshall, finding that the boiler was quite perfect, walked into the counting-house, leaving Richard Sterne, his foreman labourer, to attend to it. At this time the pressure of steam was from 60lb. to 70lb. to the inch, and though the boiler was capable of bearing 200lb. to the inch, Mr. Marshall gave directions to Sterne to remove the weight from the safety valve before the pressure got much higher, the test of its power being considered perfectly satisfactory. This, as was supposed, he must have neglected, for in a few minutes afterwards a very loud report was heard, and the

whole of the buildings in the premises as well as in the vicinity, shook as if an earthquake had taken place. The boiler, which was twenty-five feet long and six feet in diameter, with a tube of three feet in diameter, forced its way through two substantial brick walls, which divided the premises of Mr. Marshall from those of two other persons, and was ultimately stopped by coming against the end of a strong wall, nearly one hundred feet from where it had been originally placed. Some idea may be formed of the extreme force with which it was propelled, from the fact that it drove before it two other large boilers which it came in contact with, and strongly imbedded them in the walls and ruins. The tube part of the boiler shot in a different direction, and also carried before it everything that lay in its progress, until at length it was stopped by the wall of a stable on the western side of the premises. For several moments the ingress to the premises was extremely dangerous, owing to the falling of various articles which had been blown into the air, and the pouring of the boiling water from the roofs of the buildings upon which it had been forced, but, despite of this, Mr. Marshall rushed from the counting-house, and called out aloud for his son, a fine youth of fifteen, whom he had left but a few moments before with the man Sterne, standing in front of the boiler, but received no answer. Search being made for these two unfortunate persons, the poor man Sterne was found in Buckle-street, having been blown over a gate more than eight feet high. Though dreadfully disfigured and apparently much shattered, he yet exhibited

VOL. LXXXI.

some slight symptoms of life. He was at once carried to the London Hospital, but he had not been there many minutes when he expired. The body of young Marshall was also found under a part of the tube of the boiler, and at a distance of at least fifty feet from where he stood at the time of the explosion. It presented a most frightful spectacle. The right arm was blown completely off, and lay a few feet from his body; his legs were broken in several places; and his body and face were most frightfully mutilated. Had the accident occurred at an earlier hour of the evening the loss of life must have been very great, as there were upwards of seventy persons employed on the premises, and there was scarcely a spot where large pieces of the shattered boiler were not blown. Bars of iron weighing from 50lb. to 60lb. were blown into the air and fell some 200 feet from the premises; a half-hundred metal weight was thrown over a high building and lodged in the wall of a yard in Church-lane, and a similar weight was also blown into the back premises of the Halfmoon and Punchbowl public house.

The damage altogether was estimated at near 1,500*l*.

It appeared that Mr. Marshall had, within the last three years, proved several boilers in a precisely similar manner, without the slightest accident occurring, and the fatal occurrence may therefore be attributed to the negligence of the unfortunate man Sterne.

These points having been satisfactorily proved at the inquest subsequently held on the bodies, the Jury returned a verdict of Accidental death.

5. TRIAL FOR MURDER. — At Oxford Assizes, Joseph Chapman,
D

Lord Dillon's gamekeeper, was tried for the murder of James Trottmann, a poacher, whom he met on the night of the 15th of June previous, in his Lordship's woods. The prisoner had formerly been a poacher himself, and was well acquainted with Trottmann, and had had several conversations with him on the night in question, when the deceased declared that he intended to shoot rabbits, and that if one came in sight he would fire at it in the presence of the deceased. Some angry words followed, and Chapman stepped back a pace or two and fired at Trottmann, who fell mortally wounded. The Jury found the prisoner guilty of murder. When the verdict was announced, a shout of triumph was raised by the people in the body of the court. The Judge passed sentence of death on the prisoner, but urgent applications were made to the Home Department in his behalf, which we believe were so far successful, that his sentence was commuted into transportation for life.

— TRIAL FOR ABDUCTION.— Two young men, Edward Orford and Sydney Orford, were tried at Winchester for carrying off Ann Boyd, a young lady of fourteen, from her mother's house at Alton. Mrs. Boyd was the wife of a wealthy East India merchant. She had three daughters born in India, and had resided at Alton two years. Her husband returned to Calcutta in August 1838, leaving his family at Alton. In his absence three young men, sons of Mr. Grey, a shopkeeper in Alton, became intimate with the Miss Boyds, whose ages were then respectively eighteen, sixteen, and fourteen. They used to romp together in the kitchen, and the

young men were let into the house at night by the girls. Richard Grey frequently slept with Ann Boyd. The three girls, on one occasion, eloped with the three brothers, but were brought home again; and Mrs. Boyd hired Orford, father of the prisoners, to guard the house from the intrusion of the Greys. Orford sent his son Edward sometimes in his place. This young man aided by his brother, contrived to inveigle Ann Boyd from home, under the expectation of a meeting with Richard Grey in London, apparently with the design of inducing her to marry himself. The clergyman of Alton restored Ann Boyd to her mother. The result of the trial was, that the Court sentenced Edward Orford to twelve and Sydney to nine months' imprisonment.

— ATTEMPT TO ASSASSINATE THE REV. MARCUS G. BERESFORD.— At the Cavan assizes, John Brady, James Brady, and Terence Rudden, were indicted for the above offence. The following were the principal witnesses examined:—

Rev. M. G. Beresford.— Was going to church at Lareh, on the 22d of July, 1838. Opposite the priest's house heard a loud shot just behind him. Saw smoke on the road and a man on M'Keon's gate. Jumped out of the gig, his servant did the same, and ran after them. Witness followed the men. Passed boys on a quarry. Asked them if the shot was fired at him; they said it was. He asked them if they were sure; they said yes. Witness saw M'Evoy on the road. Shouted to him to stop the man with the gun. Witness turned into the gate. Saw two men armed with guns. One was dressed in a brown frock-coat, dirty white

trousers, and a cap; the other in dark clothes and a cap. They ran over Aughagolrick-hill. Saw them again going up Phill Farrelly's-hill.

John M'Evoy—Remembers the 22d of July. Was going to the church. Saw the Rev. Mr. Beresford passing him. It was near the priest's. Was 100 yards from M'Keon's gate. Saw a man come off a gate, and fire a shot at Mr. Beresford. He came out about a yard. Saw him present the gun. Saw Mr. Beresford jump out of his carriage and run after the men. Only saw one man at that time.

Edward Hartley, a child ten years old was next examined.—Remembers playing on a quarry the day that Mr. Beresford was fired at. Was there an hour-and-a-half before Mr. Beresford came up. Saw two men at the back of the ditch with two guns. It was at M'Keon's gate. The man went out once and looked up the road. One man had white trousers and black coat—a frock; the other had black clothes. One had a cap. Saw Mr. Beresford's carriage come up. When he got to the gate they stood up and fired at Mr. Beresford. The gun was pointed after Mr. Beresford. Mr. Beresford's servant ran along the road. The men ran backward and forward, and then one went one way and the other went the other. Saw the servant following the same men who came out of the gate, and fired the shot. Told his father that day. Was playing on the quarry with Willy M'Cartney and Hughey.

William M'Cartney, twelve years old, confirmed the above statement.

John Armstrong, Mr. Beres-

ford's servant—Was going with Mr. Beresford to Larah church. Remembers a shot being fired. Was driving. Mr. Beresford was next to M'Keon's gate. Saw two men at the gate. Saw smoke. Saw one of the men taking a gun from his shoulder. One wore a brown frock and white trousers. The other a dark frock and trousers. Saw them cross a stile. The white trousered fellow turned round and presented a gun. Witness went back. Saw six men coming up with their coats off, who threatened to knock witness down if he did not go back. Saw a policeman coming, and then the six fellows put on their coats, and ran in the same direction the two armed men went. James Ney met him and spoke to him. The white-trousered man took a pistol out of his breast on Farrelly's hill.

James Maguire.—Remembers the 22d of July. Was at his father's house, near Aughagolrick hill. Heard cheers near Denis M'Keon's. Ran towards them. Saw two men armed with guns. They were shouting "mad dogs." Each of them had a pistol. Were running towards Peter M'Keon's. The men told witness they were after a mad dog. Witness said he would join them. They ran past Peter M'Keon's. Witness went about five perches with them. Knew the men. Would know them again. [Pointed out John Brady.] On his oath he was one of the men. He had on a white pair of trousers. They were dirty. Knows John Armstrong. Saw him in chase of the two men. Knows James Ney. Saw him after the men went on. Saw the men after they passed M'Keon's. Saw the men at the back of Reilly's, and saw them on to Phil

Farrelly's. They went out at the back of the house. At Patrick Reilly's saw them charge a gun. Last saw the men after they passed Phil Farrelly's houses. They went on in the direction of Mrs. Donellan's.

In his cross-examination this witness admitted that he had given contrary evidence when before the magistrates. This he accounted for by saying, that he did not wish to give any evidence in the case at all, but wanted to get out of it altogether.

James Ney, a farmer.—Heard the shot, saw smoke, and heard shouts. Saw the two men Mr. Beresford's servant was in pursuit of. One of them had a gun. One had a cap, brown frock, and white trousers. Saw James Maguire. He must have seen the men. The servant came up. I showed him the men going on. Saw the men as far as Pat Reilley's. Lost sight of them there, and went home. Went to tell the police. Took my horse and galloped round to the back road at Cardeggan. Saw the two armed men again. They came from the direction of Widow Donellan's. Followed them more than a mile. Got within about forty perches of them.

Thomas Magennis examined.—On Sunday, the 22nd of July, was at Larah river, fishing, near Aughagolrich-bridge. Heard a shot fired near Denis M'Keon's gate. Stood up, and saw the horses and coach of Mr. Beresford going towards the church. Went up towards the hill of Aughagolrich. Saw two men running with guns, and two or three running after them. Came within seven or eight perches of them. Would know one man well again. [Witness pointed out Brady.] He is the man. He knew him very

well. Had often seen him. He was dressed in a brown frock, white trousers, and blue cap. One of them asked him what brought me there. Witness answered, what brought him there? The other said he fired at a hare. Met Mr. Beresford on the hill. Saw three men again in the direction of Mrs. Donellan's. Lost sight of them at Phill Farrelly's-hill. Saw James Brady and Terence Rudden on Edrigol-bridge three-quarters of an hour before the shot was fired. Rudden went towards Phil Farrelly's, and James Brady went through the country.

—O'Hara, policeman, examined.—Arrested John Brady on the night of the 26th of July. He was in his own house. Pretended that he took him on a warrant for threatening Mick Brady. Prisoner said I am afraid it is not for that, but Maguire is going to do harm.

Mr. Francis Skelton.—Was sub-sheriff of the county in December, 1837. Knows John Brady. Remembers going to his house to execute an ejectment. John Brady stood in-doors, and threatened him with a fork. Brady lived on the Rev. M. G. Beresford's land. John Brady threatened to stick witness, and that he would have vengeance for this if he was to be hanged on Cavan gallows.

Catharine Corcoran examined.—Lives in Edrigol, near the bridge. Knows Terence Rudden. Remembers the Thursday before Mr. Beresford was fired at. Saw Rudden on that day with James Brady within a mile of her house. It was near M'Keon's gate. They were sitting. Saw nothing with them. Went to the top of the hill. Terence Rudden followed. He asked her what she looked

for? She said, her cattle. He told her she was a liar. Saw a carriage pass. He was in a fret. Asked him was he afraid, that made him so fretful? He said he was to meet his sweetheart. He stood on a ditch to look along the road.

Dan Kittlye, examined.—Was, on Thursday the 19th of July, at Larah, near where Mr. Beresford was fired at; saw a man go up the river with a gun; he had it under his big coat with the butt sticking out, and the brass shining. Has not seen the man since to his knowledge.

Mr. Beresford re-examined.—Was expected to have married a couple on Thursday, July 19. Did not do so. Another clergyman did the duty. Witness attended the meeting at Cavan.

The defence consisted chiefly of evidence to prove *alibis* for the prisoners, and to injure the character of Thomas Magennis, witness for the prosecution.

Baron Foster summed up in a very luminous charge.

The jury delivered a verdict of *guilty* against John Brady; Terence Rudden and James Brady, *not guilty*. John Brady was sentenced to transportation for life. The judge remarked that the recent change in the law alone had saved the prisoner from the penalty of death.

6. MURDER AT MOUNTNESSING.—At Chelmsford assizes, Abraham Hilliard was indicted for the wilful murder of Susannah Playle, by shooting her with a gun.

The counsel for the crown, having briefly stated the facts of the case, which were given in our last, called the following witnesses:—

John Playle, a labourer residing at Mountnessing, and son of the

deceased, kept the Plough beer-shop at that place. The prisoner also resided there. Witness's father died about 13 months ago, but during his lifetime the prisoner frequently came to the house. After his father's death the prisoner acted as one of the family, and used to draw the beer. In the month of November the deceased requested him to stay in her house, as she had been threatened by the prisoner. On the 27th of that month the prisoner came to the house, and had some words with the deceased, and he heard the prisoner ask the deceased whether her tutors would do her any good; and the deceased said they would do her no harm, and added that she would not maintain the prisoner any longer, as he had threatened her life a great many times. Nothing more occurred at that time, but the next day about 4 o'clock he was in the bakehouse sitting near the oven, when he observed the prisoner come up the front garden to the bakehouse door with a gun under his arm, and he went by the door of the bakehouse. He then saw the prisoner rush in at the door, and before witness could speak or prevent him, he put the gun to his shoulder and fired at the deceased, and she fell dead at witness's feet. He did not hear her speak a word after she was shot. When the prisoner left the deceased's house in the evening of the 27th, the deceased told him never to show his face there again, and he replied, "— you, if you don't have me, you shall have no other man." The deceased replied, "I will, I will be married before this day month." After the prisoner shot the deceased, witness rushed upon him, and wrenched the gun from him,

and knocked the prisoner down with it. The prisoner resisted violently, but witness called for assistance, and a man named Miller came up, and they secured the prisoner.

Charles Miller deposed that he knew the deceased and also the prisoner. The latter was frequently at the house of the deceased, both during the lifetime of the deceased's husband and afterwards. About 4 o'clock in the afternoon of the day on which the occurrence took place, the prisoner came into his shop. He had a gun with him. The prisoner conversed with him a short time, and then left in the direction of the deceased's house, and in about 10 minutes witness heard the report of a gun, and he heard the last witness call out for assistance, and say that the prisoner had shot his mother. On the Tuesday before this, the prisoner told him that John Playle had objected to his drawing beer, but said that he would be d—d if he would draw any beer for him; and he added that Mrs. Playle should not draw any beer for him if she did not mind what she was about. A short time after this, witness heard the prisoner say to the deceased, "I will be d—d if you shall be here long if you don't mind." The deceased had not said anything to him before he said this.

Mary Anne Playle, daughter of the deceased, detailed other threats made use of by the prisoner to the deceased. This witness corroborated the statement of the other witnesses relative to the circumstances under which the deceased was shot. She added, that she had heard the prisoner say that he would not shoot one alone, and that no man should take him, and no man should hang him.

Elizabeth Playle, another daughter, proved that she had heard the prisoner ask the deceased whether she hated him, and she replied that she did from her heart; and the prisoner then said, that he would give her what he promised her.

Mrs. Crow proved, that she heard the prisoner fire off his gun several times on the day the occurrence took place, as though he was trying whether it was likely to miss fire or not.

The jury returned a verdict of *guilty*, and the learned judge pronounced sentence of death.

The prisoner heard the verdict and sentence with the utmost indifference, and when lord Abinger concluded by saying, "and may the Almighty have mercy upon your soul," he exclaimed, "Well, I hope he will," and walked firmly away from the bar.

6. INFANTICIDE.—At the same assizes, Elizabeth Biss was indicted for the wilful murder of her unbaptized child. This case was of a very melancholy description. The friends of the prisoner resided at Great Parndon, near Harlow, in Essex, and she had made an unfortunate marriage in every sense of the word, for she not only sacrificed the good opinion of all her friends, but after a short time her husband deserted her, and she became reduced to a pitiable condition of distress. She then went to her friends with the infant, and in a moment of frenzy she threw the infant into a pond, where it was found dead.

In the course of the inquiry it was stated that a sum of money had been placed in the hands of a near relative of the prisoner for the purpose of her defence, but, that instead of being applied to that purpose, the party got drunk

and spent the whole of the money, leaving the wretched prisoner undefended. Mr. Dowling, however, who was to have been instructed on her behalf, consented to undertake the defence. The jury returned a verdict of *guilty*, coupled with a strong recommendation to mercy. The judgment was respited.

7. NORTHAMPTON. TRIAL FOR THE MURDER OF ELIZABETH LONGFOOT.—Richard Woodward, aged 28, and John Archer, aged 22, were indicted for the wilful murder of Elizabeth Longfoot, at Easton, on the morning of the 6th of March, 1838.

The facts of this case have already been detailed. They are briefly these:—The deceased was a single woman, about 50 years of age, who lived alone in a small house at Easton, and was supposed to have saved a little money. She was of eccentric habits, and seemed very apprehensive of designs against her life and property. In the early part of last year, the house was robbed and the old woman murdered. According to the testimony of Stansor, who was admitted an approver, he and the two prisoners went to the house of the deceased on the night of Monday, the 5th of March, 1838, and Woodward got into the kitchen through the window. The deceased was disturbed, and went out of the house and up the street, making a noise and complaining of having her rest broken. She returned in about 10 minutes, when Archer aimed a blow at her with his fist, which Woodward followed up by additional blows, and when the unfortunate woman, who was knocked down, was lying on the ground, Woodward took a cord from his pocket and strangled her with it, Archer kneeling on

her stomach in the mean time. They then drew her into the kitchen, where they left the body, and taking a light went up stairs and rifled the drawers. They found some sovereigns and two pocket-books with country bank-notes in them. Three sovereigns and 5s. were given to the witness as his share of the booty, but none of the notes. Whilst they were in the house, one or two persons, attracted by the light and noise, came to the door and listened for awhile, but in consequence of the known, peculiar habits of the deceased they went away again. After the prisoners and the witness left the house, the latter went to his sister's, it being then about 5 o'clock in the morning, and after lying down for about an hour and a half, he set off for Lincolnshire, stayed a few days at Bourne, and proceeded afterwards to the lower part of the country. In a few weeks afterwards he was apprehended, and then made a confession, in which he laid the principal share in the murder and robbery at the door of the two prisoners. Woodward, when taken before the magistrates, confessed to having planned the robbery, but denied any participation in the murder, and Archer disclaimed all knowledge of the transaction. There was some confirmation of the minor details of Stansor's story, but the only direct corroboration attempted to be given of that part of it which referred to the prisoner's participation in the murder was an alleged conversation which they had with a man named Brown, who was a fellow-prisoner with them in Northampton gaol. No part of the stolen property was found, although Brown said that Wood-

ward had told him he had concealed part of it in the ceiling of his house, and more of it in a fiddle. Search was made accordingly, but without success.

The case set up by the counsel on the part of Woodward was, that Stansor, in order to secure the whole of the plunder to himself, had committed the murder and robbery alone, and then, when apprehended, had, to save himself, laid it at the door of the prisoners.

The prisoners were prepared to call witnesses to prove they could not be at the deceased's house at the time she was murdered. Being advised to leave their case as it stood on the evidence and the defence made for them, they did not call any witnesses. After a very perspicuous and impartial summing up of the case by Lord Denman, both the prisoners were *Acquitted*.

These circumstances created the highest degree of excitement in Easton; and on the return of the accused persons to their homes, several hundreds of the inhabitants mustered in that town to the call of a drum, and proceeded in a tumultuous manner to the house of Archer, when they made a violent attack upon the premises, damaging them greatly before they gained an entrance, and then broke every article of furniture to pieces, scattering the fragments about the streets. A strict search was made for Archer, whom, if they had found, they would probably have exercised "Lynch law" upon. The mob then proceeded to the house of Woodward, where they acted in a similar manner; but could not find him. The whole village was in a state of uproar until past twelve o'clock at night, when the mob dispersed.

8. SINGULAR ESCAPE AT EDMONSTONE COLLIERY, SCOTLAND. —About half-past ten o'clock in the evening of Friday the 8th of March, the sides of the shaft of one of the coal pits let to the Messrs. Stenhouse gave way, and completely blocked up the communication with the pit. When this happened there were at work below, nine men and four females, who were thus fast imprisoned in the bowels of the earth. The shaft of the coal-pit was about one hundred yards in depth, and the place where the fracture took place about forty or fifty yards from the mouth of the pit. The alarm was instantly given, and Mr. Stenhouse, of Whitehill Mains, as well as Mr. Adam, the mining overseer of the colliery, were almost immediately on the spot, and directed their attention to the means of extricating the unfortunate captives. The pit, where the accident took place, communicated with an adjoining pit, the shaft of which was a few hundred yards distant from that of the former, and which serving as an air-pit to it, there was a lamp or fire kept continually burning in the shaft to purify the air. In the previous September there was a free passage, or air-gate, from the one pit to the other; but since that time no person had travelled it, and it was supposed that the passage must have been obstructed by the falling of portions of the superincumbent mass. Mr. Stenhouse and Mr. Adam anticipated that the individuals in the pit would naturally struggle to make their way through this avenue of escape; and, accordingly, about two o'clock on Saturday morning, five men descended the shaft of the old pit, in order, if possible, to make their way through

the passage between the pits to aid the liberation of the others. They made the greatest exertions, notwithstanding a considerable quantity of water in the old pit, and reached 140 yards beyond the bottom of the shaft, when they were deterred from venturing further by the foul air, which was becoming quite insupportable. At two o'clock on the afternoon of Saturday, a second attempt was made, but was still more unfortunate than the first; the air being at this time so noxious, that one man, who had first descended to report, could not even get to the bottom of the shaft. All hopes of relief in this manner were now abandoned, and every energy directed towards the clearing of the shaft. For this purpose it was necessary to construct what is termed a crib; that is, a cylinder corresponding to the dimensions of the shaft, its operation being something on the same principle as that of the shield, advanced progressively in the Thames Tunnel.

Most fortunately these preparations, which were necessarily tedious in their nature, were not required. At about half-past seven o'clock on the Sunday morning, the men stationed at the mouth of the old pit, heard the welcome sound of a voice. The alarm was immediately given, and the Messrs. Stenhouse and the workmen proceeded with all despatch, to rescue the suffering party. One man descended to render aid in case they should be too feeble to hold by the rope, and found the air in the shaft so impure that he, coming from the free atmosphere, could with difficulty sustain it. The first raised was the youngest girl, who was brought up in a helpless state. Her first words were, "Eh, Sir,

we have been praying a' night." The remainder were rapidly raised in succession, all in a very exhausted state; warm milk and bread were administered to each of them, when they appeared somewhat revived. They were then placed on carts among straw and blankets, and conveyed to their homes.

It appears from the account they subsequently furnished, that soon after the catastrophe took place they tried to remove the debris that had fallen in; but it was in such masses that they found the task impossible. They then endeavoured to make their way through the air-gate to the other pit. This passage was only three feet wide and four feet in height, and throughout was partially filled with water. When they had proceeded a short way, they found that the water was so high that they would have perished in the attempt, and therefore they had to abandon it. During the tedious and agonizing hours of Saturday, they kept moving backward and forward nigh to the bottom of the shaft, until about six o'clock at night, when they made another attempt to struggle through the air-gate, which proved as fruitless as the first. At this stage their lights all went out, and they were, of course, in utter darkness. They began to give way to despair, all hope of escape seeming to have disappeared. In this state they searched for a dry place of the pit, and having found it, laid themselves down to await death. But before finally resigning themselves to what appeared their inevitable fate, they all joined in singing a hymn, after which one of the old men poured out a fervent prayer for mercy. They had also joined in prayer after the

failure of the first attempt. After lying in this piteous state from six o'clock on Saturday evening until about five o'clock on the Sunday morning in utter darkness, they gathered resolution to make a last effort for life. By this time the water in the air-gate had fallen about two inches lower than it stood at the former attempt, although still three feet deep at one place. The whole party, accordingly, were enabled to grope their way through the narrow avenue their chins for the most part touching the roof of the mine, and thus succeeded in reaching the bottom of the air-pit at half-past seven o'clock, having been fourteen hours in utter darkness, thirty-four hours since the period of the accident, and thirty-six hours since they entered the pit. Fortunately for the rest, there were two men in the pit who had a practical knowledge of the communication with the air-pit, and they accordingly acted as the pioneers of the party. They all kept together by taking hold of each other's clothes; but the girls had to be carried through the water, as they would have otherwise been drowned. One strong man of the party carried a woman, who was in a very enfeebled state on his back; and this intrepid individual had besides to drag another man who had laid hold of his belt. They said they did not find the air in the mine to be very bad, although they were not conscious of any draught. This may be accounted for by the circumstance of their having become so far injured to the atmosphere; and besides, during the morning of Sunday, the frosty atmosphere was particularly favourable for counteracting the noxious vapours of the pit.

12. MURDER AT BANSHA.—At the Clonmel assizes, John Slattery and Michael Dwyer were indicted for the wilful murder of Denis Murphy, at Foxford, near Bansha, on Sunday the 12th of November, 1837. One was indicted as a principal, and the other as accessory.

The deceased was a farmer, holding a small quantity of ground in the neighbourhood of Bansha. The prisoner Dwyer was one of his tenants, and it appeared that some time before the fatal transaction the deceased ventured to make a distress on Dwyer's land. This man and his son-in-law, James Ryan, who also lived upon Murphy's land, subsequent to the distress, were for an assault and rescue sentenced to a limited imprisonment. The landlord ventured to make a second distress, the defaulting tenants not having been ejected. He had given notice of the sale, and two days before the day of sale his life was taken from him. On the night in question, a party of persons proceeded to the house of Murphy. Mrs. Murphy had gone to bed, and her children were left sitting at the kitchen fire. A servant boy, named Walsh, was sleeping in an inner room. The dog was very restless, and the mother desired her children to open the door and put him outside; upon which a party of about four persons instantly rushed in. One of them took a candle out of the hand of one of the children, and proceeded to the room in which the mother was in bed, and desired her to get up; he then asked if her husband was at home, and when told he was not, he asked who lived in the house, as if ignorant who resided there. Upon being told that the

house was Murphy's, the man said, "I beg your pardon, it was Byrnes we were wanting;" the party then left the house, and cautioned the inmates not to open the door. Some time after this the widow heard the cry of her husband not far from the house, and the discharge of a gun, and she could hear part of the language used by the assailants. They said to the unfortunate man, "You never will cant again." Immediately after this Murphy was found sadly mutilated, lying at the haggard, close to his own place, and quite dead. A number of persons were taken up on suspicion, who lived in the neighbourhood, including amongst others the prisoner Dwyer, but in consequence of the evidence being insufficient, they were discharged, after a limited imprisonment.

A person named Long, however, turned approver, and upon his testimony the case against the prisoners chiefly rested.

The jury returned a verdict acquitting Dwyer and finding Slattery guilty. Sentence of death was passed on him, and carried into execution at Clonmel, on the 2d of April following.

13. BURGLARY AND ARSON.—

At the Stafford assizes, Joseph Newbury and Joseph Taylor were tried for a burglary, with violence, and also for setting fire to the dwelling-house of Mr. Wood, at Huddlesford, in this county. The prisoners pleaded "Guilty."

Mr. Wood, the prosecutor, was an old man between seventy and eighty years of age, very infirm. He stated that his house was broken into on the night of Friday, the 23d of November previous. His bed-room was entered while he was asleep, his money was demanded, a knife was drawn across

his throat, and his bed-curtains and bedstead were set on fire by the robbers, and he was locked in the room. But Mrs. Wood's deposition was the most extraordinary. She stated as follows:—

In the afternoon of the 23d of November the prisoners rapped at her door and asked for charity, which she refused to give them. She closed her house at night and went to bed at nine o'clock. At twelve o'clock she was awoken by two men who entered her room. They had a bit of candle in their hands, and one of them a knife, the other a poker. Their faces were blackened. Her servant slept with her. One of them struck her with the poker, and the other with the knife, over her head and hands. One of the prisoners struck the servant girl with the poker on the head. She awoke, and cried "Murder." The prisoner aimed another blow at her. Her mistress attempted to stop it, and her arm was broken. She cried out for mercy, and promised to give them two sovereigns on the morrow, but one of the prisoners said that would not do. She told her servant to give them 5s., which she did. Mrs. Wood then gave them her keys, and the prisoners ransacked her drawers. They were engaged for half an hour, and very leisurely procured fresh candles and put them into candlesticks. One of them read the papers which he found in the drawers, and smoked a pipe of tobacco. Finding one of the drawers locked they threatened to murder Mrs. Wood, who was suffering severely from her broken arm. They took a 5l. Lichfield note and some other property. They said they were robbers; that they had a banditti round the

house, and if any one attempted to escape he or she would be murdered, and they called out a number of Christian names, telling the parties to come in and take refreshments and watch until they had got three or four miles off. They frequently went up and down stairs. They found a bottle of medicine, which was a lotion, and compelled Mrs. Wood to drink some of it, and the servant girl, but she managed to pour the greatest part of it into her bed. After desiring the woman to lie quiet and go to sleep, the prisoners drew the bed curtains, collected a heap of things at the foot of the bed and set it on fire, until it blazed up to the ceiling, and then went away locking the two women in their bed-room. The room became filled with smoke, and the servant girl, at her mistress's desire opened the window and escaped through it. The prisoners returned to her room. Mrs. Wood said, "We are here," and they did not perceive that the girl had gone. More things were thrown by them on the fire, which was left burning, and the prisoners again locked the door. Mrs. Wood attempted to escape through the window, but when on the ledge one of the prisoners entered her room, and finding her at the window struck at her with a knife, but missed her, and she dropped four or five yards into the garden. She attempted to get through the hedge, but fell, and was attempting to get into the road, when she heard the prisoners coming, and concealed herself till they passed. She then went into the village, and procured assistance. Her husband was got down stairs, and the fire was at length extinguished. In her fall she was strained in her

right side and her hip, so as to be prevented from walking for several weeks, and though her broken arm had recovered, she had lost the use of her right hand, which was cut by the robbers. She stated in her deposition, that a few days before the robbery her servant girl related a dream to her, in which she dreamt that two men got through the parlour-window and were murdering them. Mrs. Wood said, "Well, Ann, in case any ruffians were to break in, what would you do for the best; could you go through the window?" and the girl said she could, and that she should jump on the laurel-tree, which would break her fall. She remarked, laughingly, it would be a good plan.

In the deposition of the servant, it appeared that she did drop into the laurel-tree.

The property stolen and burnt amounted to 50*l.*, and a part of it was traced to the prisoners.

14. EXECUTION AT HERTFORD.—The last sentence of the law was carried into effect upon Thomas Taylor, convicted at the Hertford assizes of the murder of William Bennett, an old pensioner, residing at Tewin, in the same county. Two young men, named Roach and Fletcher, were executed about twelve months previous for being concerned in the same offence. The prisoner absconded immediately after the commission of the crime, and enlisted in the 15th regiment; and he would probably have escaped detection, but for the fact of his having written a letter to his mother in an assumed name. This circumstance coming to the knowledge of the police at Hertford, an inquiry was instituted, which led to his detection. The regiment

at the time was under orders for India, and would very soon have embarked. From the moment of his apprehension Taylor prepared himself for death, which he met with very little appearance of apprehension or agitation.

From information obtained after the trial, there appeared every reason to believe that Taylor was the actual cause of the death of the poor old man, for after the robbery had been committed, and they had all left him lying senseless on the ground, he returned and gave him three kicks on the side of the head, and inflicted in this way the mortal injury.

16. FIRE.—A fire broke out early in the morning at the school and vicarage of Warfield. It was discovered by a son of the reverend Temple Frere, prebendary of Westminster; who alone, of all the inmates, lost his life by the fire. The owner of the house, the reverend Mr. Furlong, with his wife and children, thirty-seven pupils, and seven servants, escaped. When the names of the boys were called over, all answered but Frere; who at that moment was seen at a window of the blazing building. Mr. Furlong raised a ladder against the wall, but it was too short to reach the window. The poor boy tried to get his leg through the sash, but could not, and disappeared. Several others had very narrow escapes. Everything was destroyed. It was supposed that the fire originated in the butler's pantry. The neighbours, especially Lady and Miss Malcolm, were active in rendering assistance. More boys would probably have perished, but for the intrepidity of one of the Miss Fur-

longs, who at great risk awakened them in bed.

15. INQUEST AT UXBRIDGE.—Much interest was excited in the neighbourhood of Uxbridge, by a fatal affray between two young men, pupils of the Rev. Frederic Sturmer, of Hayes. Mr. Francis Hastings Medhurst, having quarrelled violently with his fellow pupil, Joseph Alsop, attacked him, on the 9th instant, in a room of Mr. Sturmer's house, and in his presence; the weapon of assault being a large knob-headed stick. Mr. Sturmer left his two pupils fighting, and walked away, without making any attempt to part them. Soon after, Medhurst stabbed Alsop with a double-edged knife or dirk, below the navel. The poor young man lingered a few days in extreme pain, and then died. Medhurst was arrested on a charge of murder; and after a lengthened and minute inquiry into all the details, before Mr. Wakley the coroner, a jury, composed of seventeen persons, returned the following verdict, with two dissentients—

“Wilful murder against Mr. Francis Hastings Medhurst. The jury are unanimously of opinion, that the conduct of Mr. Sturmer is highly reprehensible, in not interfering to prevent the altercation between the parties, as such interference might have prevented the unhappy consequences which have ensued.”

Medhurst was nearly twenty-one, and it was said, would, on attaining his majority, come into possession of property worth 7,000*l.* a year. Alsop was about eighteen, and belonged to a most respectable family in Staffordshire. Medhurst was noted for ungovern-

able temper, which he would seem to have inherited by right of blood. His mother was an Italian. His grandfather stabbed his wife in a fit of insanity, and, at the time of the transaction in question, was, at an advanced age, in a lunatic asylum near Uxbridge.

After an examination by the magistrates, at Uxbridge, Medhurst was committed on a charge of manslaughter; the bench being of opinion that malice was not to be inferred from the evidence.

16. MURDER NEAR NEWARK. —The inhabitants of Newark, and the villages north of that town, were much agitated by the murder of an aged woman, named Hancock, who occupied a small shop at Cauntton. The discovery was made by one of the villagers, who went to the house about 7, and, finding the door unlocked, and no one in the shop, proceeded upstairs, where he found the unfortunate woman stretched on the bed. The body presented a shocking appearance, and the wall was sprinkled with blood. Upon a search, it was found that the house had also been robbed. After a long inquiry, a labourer named Driver, who was working at Musham Woodhouse, was apprehended, and on his person were found two watches, money, &c.; he at once confessed his guilt, and stated that he committed the barbarous act between 3 and 4 o'clock in the morning. It would appear that he filled her mouth with rags, to prevent her cries awaking the neighbours, struck her on the head, and then strangled her.

Driver was about 24, of exceedingly repulsive aspect, and

generally considered deficient in intellect. He was subsequently tried for the murder, and found guilty, and executed.

17. MURDEROUS ASSAULT AT MANCHESTER. —A man named George Whittaker, a cooper, residing in Club-row, Oldham-road, had been for some time past living separate from his wife. However, at his desire, she went back to him. She had not been at home many hours when the other inmates and the neighbours were alarmed by the shrieks of a female, and cries of "Murder," proceeding from the apartment occupied by the wretched couple. Some persons rushed into the room, and found Whittaker with a cooper's adze or axe in his hand, with which he was dealing deadly blows at his unfortunate wife; she was seated on a sofa, and it would seem, after she had received one blow, she had instinctively put her hand to her head to ward off another, and the hatchet coming down, had struck her with so much force as to sever three fingers from her hand, besides inflicting a dreadful wound on the scalp. Two fingers were in like manner severed from the other hand. Whittaker was taken into custody, and his wife at once conveyed to the Manchester Royal Infirmary, where her deposition was taken by Mr. D. Maude, stipendiary police magistrate, there appearing little hope of her recovery.

21. HORRIBLE CASE OF MURDER AT CARLOW. —John Nowlan was indicted for the wilful murder of his own first cousin, Bridget Nowlan, a child of six years old, and also for the murder of his grandmother, Catherine Donohoe, a woman ninety years old, at

Myshall, county of Carlow, on the 9th of November previous.

It appeared that Lawrence Nowlan, father of Bridget, and his wife, had gone out to dig potatoes; but were, in the course of the day, alarmed by one of their daughters, who stated, that on entering the house, she discovered her sister and grandmother murdered, and their bodies roasting upon the fire. The poor man and his wife speedily returned, and were horrified to find the body of Bridget Nowlan nearly burnt to a cinder, and that of the old woman partially burnt. They also discovered that a box had been broken open, and some bank-notes and silver abstracted, but a larger sum, amounting to 20*l.*, was left behind. The prisoner was soon after apprehended, and brought to the police station, where, on being told that his father was taken up for the crime, he confessed that he was the murderer, that he had beaten out the brains of his cousin and his grandmother with a shovel-handle, and then placed their bodies over the fire. He also acknowledged the robbery. The jury returned a verdict of *Guilty*, and sentence of death was pronounced.

22. OPERATION PERFORMED AT PARIS.—A highly curious and important case of the Cæsarian operation was performed at the Hôpital des Cliniques de l'Ecole de Médecine, by Professor Paul Dubois, in the presence of the most distinguished surgeons of Paris, several foreign physicians, and a great number of medical students. The patient was a dwarf, whose height did not exceed thirty-seven inches, deformed in a most unusual degree, with a head of enormously disproportioned size, twisted legs,

of stupid appearance, and partially deficient intellect, and whose conformation was such as to render the performance of this terrible operation imperiously necessary, as the only chance of saving the life probably of herself and certainly of her child. This poor creature had been, as it were, sold by her parents, dwelling in a village in Picardy, to a travelling mountebank, who passed a bargain with them, without her knowledge, and on the strength of which he had taken her about the country with him, showing her at fairs, and making considerable profit by her. It appears that he had entertained the notion that the offspring of this poor woman would be small and deformed like herself, and it was from the expectation that he should be a double gainer by her and her child, that her pregnancy had been caused. About six weeks since, this unfortunate creature was brought to the hospital abovementioned in a state of the utmost destitution and misery, with scarcely any clothing, and, as professor Dubois expressed it, bearing a certain sentence of death with her, the only possibility of escaping from which, as must be the case with all persons of similar conformation, was the operation that he had to execute upon her. The affluence of students into the amphitheatre of the hospital was so excessive, that the professor humanely declared that he would not go on with the operation unless the numbers of his audience were reduced, and a large body of students with much good feeling retired. The patient was then brought in, and the professor commenced the dreadful operation, from the consequences of which, though the pain actually occa-

sioned is perhaps not greater than that of the ordinary course of nature, no patient has ever been known to recover in the hospitals of Paris, although they often have in other localities. The professor was said to have never manifested greater judgment and *sang froid* than in this, the sixth operation of the same kind which he had performed. All the ordinary difficulties of the operation were increased in a most unexpected degree, by the internal phenomena being found to be as anomalous as the external. The result, however, was, that a female infant, perfectly well formed, was extracted, and that as soon as its cries rewarded the poor unfortunate mother for all that she had undergone, and in which she had shown great fortitude, she had strength and self-possession enough to ask what its sex was, and whether it was alive. Notwithstanding however the unceasing care of professor Dubois and the head midwife of the hospital, their patient died very shortly after. The infant survived.

24. FIRE NEAR MOUNTNESSING.

—The ancient mansion of Fitzwalters, Essex, the seat of Hall Dare, esq. was totally destroyed by fire. A portion of the outer walls only remained standing to mark where stood the "Round House," which for two centuries had been an object of curiosity to the traveller, from its singular octagonal form. The origin of the fire was unknown. It was conjectured to have been occasioned by the igniting of a beam over a fire-place. The furniture and pictures were not saved; and the damage sustained was estimated at from 4,000*l.* to 6,000*l.*

25. ROBBERY OF GOLD DUST.

—A very ingenious robbery took place at the St. Katharine Docks, by which property to a considerable amount was fraudulently obtained. The particulars of the transaction, and the steps by which the parties concerned in it were at last discovered, occupied public attention for a considerable time. We shall here only give the fact of the robbery, reserving further details to appear in the account of the trial which subsequently took place. Two boxes of gold-dust, valued at 4,600*l.*, were landed at Falmouth, from the Seagull packet, lately from Mexico. From Falmouth they were taken to the Dublin Steam-packet Wharf, London, consigned to the Brazilian Mining Company. At noon on Monday, the 25th, a person claimed the two boxes, and presented an order for them, apparently in the same hand-writing as a letter received by the wharfinger the same morning from Falmouth with the boxes. That letter stated, that the boxes were only to be delivered to a gentleman who would call on Monday with an order in the same hand-writing as the letter. The "gentleman" accurately described the marks and took away the boxes; but two hours afterwards another person connected with the Brazilian Mining Company came for the boxes, and the fraud was then discovered, for the genuine documents and letter addressed to the company by their Falmouth agent were produced.

30. THE REV. JOSEPH STEPHENS.—The grand jury of the South Lancashire assizes, sitting in Liverpool, returned a true bill against the reverend Joseph Rayner Stephens, for a misdemeanour. A number of witnesses

were examined before the grand inquest to prove sufficient to warrant them in finding the bill. Several of them, it is said, produced large pikes in illustration of their evidence. Meanwhile Stephens's popularity continued unabated. Upwards of 1,000/ had been subscribed to defray the expenses of his defence. He continued to preach three times every Sunday, to crowded congregations.

APRIL.

1. CHARTIST RIOT AT DEVIZES.

—On this day, being Easter Monday, the persons who have adopted the name of Chartists, attempted to hold a meeting at Devizes, which was the occasion of a serious riot. In the course of the week their leaders had issued a large placard, stating that, "in defiance of the Tory persecutors of the poor," a public meeting would be held, which would be addressed by Vincent, Carrier, Roberts, and others. In consequence of the tone of this manifesto, and the report that the Chartists would march into the town armed, considerable excitement prevailed, and every precaution to prevent a breach of the peace was taken by the local authorities. The Chartists had announced their meeting for ten o'clock. They did not, however, make their appearance until about a quarter before three, when they were seen marching in procession from the direction of Calne-hill, headed by a band of music, and from fifteen to twenty flags and banners, bearing the ordinary inscriptions, "*Universal Suffrage*," "*Annual Parliaments*," &c. Their numbers were from 800 to 1,000, mostly labourers, and all armed with sticks and bludgeons, or other weapons.

VOL. LXXXI.

Having paraded through the town to the market-place, they surrounded a waggon which had been provided for a hustings, and which Vincent, Roberts, and others of their leaders, ascended. They had scarcely done so, however, before the shouts and yells of execration, which had greeted their arrival in the town, became truly deafening; an attack was made upon the banners, which one after another were torn from their poles, and this being resisted on the part of the Chartists, their own argument of "physical force" was appealed to, and a general riot ensued. In the outset of the affair, a stone or turf struck Vincent on the chest, when that person immediately jumped down from the waggon, and made a hasty retreat to a beer-house, called the "*Curriers' Arms*," at the upper end of the town. The riot soon after became general; and sticks and bludgeons were used with the utmost freedom, each party trying to dispossess the other of their weapons. After a short fight the Chartists were completely discomfited and driven out of the market-place. The populace seized the waggon, and having decorated it with a blue banner, marched it round the place, and then shattered it into small fragments in a surprisingly short space of time. They then proceeded to the house where Vincent and his companions had retreated, and from the windows were attempting to address the multitude. The noise, was such as to render the attempt futile, and some fears being entertained that the house would be attacked, Vincent and his comrades became alarmed at their situation, and a letter was sent to the high sheriff acquainting him of their danger,

E

and requesting that he would send the military to escort them out of the town. The high sheriff did not consider it prudent to comply with this request, but immediately proceeded to the spot, where he addressed the populace, requiring them to preserve the peace, and suffer Vincent, Roberts, and their companions to leave Devizes without molestation. After some time, the ferment a little subsided, and the people said, if Vincent and his companions would promise never to return and disturb the town again, they should leave Devizes. Accordingly, a strong body of constables, and some of the leading Conservatives, conducted them through the town. The mob, however, was furiously embittered against them—they attempted to get hold of them, and, but for the courage and determination of the constables, would have probably thrown them into the canal. Vincent's courage completely forsook him from nearly the outset. He begged hard for the preservation of his life; and, as during his progress he received three or four blows on his head and twice fainted, a Conservative gentleman procured a gig, and having put him into it, drove him out of the town. The constable deemed it prudent to take Roberts back to the Bear-inn for the purpose of procuring an escort of the lancers; but he spared the soldiers the trouble, by making his escape across the fields from the back of the premises. Others of the party also escaped from the back of the Curriers' Arms; and it being known at about seven o'clock that the whole of the party had left the town, the mob became appeased, and began to disperse before it was dark.

— MURDER OF A SON BY A FATHER.—In this horrible case at Liverpool, Charles Miller, aged forty-six, was tried for killing his own son, William Miller, at Heaton Norris, in the same county.

The prisoner, who was a shoemaker, resided in Love-lane, Liverpool. His family consisted of himself, his wife, a daughter, and the deceased. Frequent quarrels took place among them, and on those occasions the deceased was in the habit of interfering to protect his mother from the violence of the prisoner. On the evening of the occurrence, the prisoner returned home intoxicated, and retired to his bed-room accompanied by his wife. High words took place between them. The daughter, alarmed for her mother's safety, went to the house of a neighbour at a short distance, where she found her brother, and desired him to come home, as the prisoner was beating her mother. The son did so, and went up stairs to the bed-room. At the head of the stairs was a room which was used as the workshop; on the left side was the door leading to the bed-room; and on the right, immediately opposite, was another room, also used by the prisoner in the way of his trade. On the son going into the bed-room, his father was lying on the bed, and the deceased who was, it appeared, a person of very violent temper, struck him repeatedly, and knocked his head with violence against the wall. The prisoner called out, "Will, Will, what's to do?" and, on his son letting him go, he rose from the bed, crossed the middle room, and passed into the other, from whence he returned with a sharp-pointed knife, such as is

used in his trade. The son had followed out of the bed-room, and met him near the middle room at the top of the stairs. The prisoner said something to him which was not heard. The deceased replied with an oath, "You have been shamming ill all this week, and now you are kicking up your rows." The prisoner said, "If you strike me again I'll stick this into thee." He immediately struck the deceased with the knife about the region of the heart. The deceased turned round, saying, "Oh, father, you have done my job this time," and caught at the wall for support, and after staggering a few paces towards the bed-room door, fell on his face dead. A neighbour, who came in on hearing what had been done, found the prisoner sitting on the bed-side and ill-treating his wife, whom he had hold of by the throat. On being asked if he was not ashamed of what he had done, he replied, "I have served him right; you would have done the same if he had treated you as he treated me." On a *post mortem* examination, the knife was found to have penetrated the heart.

The jury found the prisoner *Guilty*, and the learned judge, with a solemn admonition, sentenced him to be transported for 15 years.

2. TRIAL FOR MURDER, AT THE WARWICK ASSIZES.—Abraham Holyoake, accused of the wilful murder of Ann Maria Evans, by drowning her in the Birmingham and Coventry Canal, in the month of October last, was tried and acquitted, Mr. Justice Bosanquet observing that the facts would not warrant a verdict against the prisoner. From all that appeared, the prisoner and

the deceased were much attached to each other. They had had no quarrel, nor was there any feeling of jealousy between them. It was difficult, therefore, to discover any motive on the part of the prisoner to lead him to commit such an act, and perhaps it would be hardly fair to press against him too strongly the fact of his having given a confused account of what had occurred at a time when he must have been in a state of great agitation and even of bewilderment, owing to what he had drunk, and what had happened.

2. CHURCH RATE RIOT. THE QUEEN v. BARRETT, EDWARDS, RANDALL, SPURR, AND BALL.—This action was tried in the Crown Court, Bodmin. The defendants were dissenters from the church, and carried on business to a considerable extent as tradesmen in the town of Truro. They were charged with having, on the 8th of May, 1838, created a breach of the peace, and having riotously prevented one William James Oke from carrying on his business as an auctioneer.

It would appear that three of the defendants, Barrett, Edwards, and Randall, had for a considerable length of time refused to pay their church rates, and it therefore had become necessary to make a distress on their goods. Consequently, on the 8th of May, an officer was sent to their houses, who asked them to point out such goods as might be taken to satisfy the demand. The defendant Randall would insist upon his taking a Bible, the other defendants gave him some other articles. The sale of these articles was then announced to take place at the sale-room of Oke, upon which the following handbill was published

by the direction of Barrett and Edwards, and with the sanction of Randall:—

“STATE CHURCH PROSECUTION.

“This is to inform the public, that the summonses, which have been so frequently served on us during the past month (21 in number), have this day been carried into execution, by the distraining of our property to a very considerable amount, so as to form a complete bazaar of plunder. The prosecution against us is instituted by Mr. John Ferris, currier and tanner, and Mr. William Warren, attorney, the impartial churchwardens for this town, no doubt through the instigation of a party who covet their neighbour's goods, and anything that is his. The mock sale will take place at Mr. Oke's Pydar-street (he being once a rigid Dissenter, now a Churchman; what he will be, time will tell), on Tuesday, the 8th of May instant, at ten o'clock precisely, probably that the church party may have a better opportunity of dividing it among themselves, as has been generally practised towards the Society of Friends for three centuries past; but we give this information for the satisfaction of our friends, and to assure those persons who may be disposed to become possessed of those goods, we shall notice their part also in this religious persecution, by handing down their names as family memorials in connexion with this religious crusade against us, inflicted because we deem it right to be Dissenters.

“The articles are very appropriate, viz.:—

“One Bible, three japan waiters, containing good likenesses of the Rev. John Wesley, and three ditto of Mr. Samuel Drew, and one

with a church in the centre, and several others with interesting representations, together with a general assortment of linen drapery, household furniture, &c.

“We shall be in attendance for the purpose of informing strangers of the particulars and articles of sale.

“And are with due respect, fellow-townsmen, yours truly,

“RICHARD BARRETT.

“JACOB CORIN EDWARDS.

“SAMUEL RANDALL.

“Truro, May 3, 1838.

“G. Clyma, bookbinder, music-seller, &c., No. 4, Lemon-street, Truro.”

On the same day the following advertisement was inserted in the *West Briton* newspaper by Barrett:—

(Advertisement.)

“Taken by the constable of Truro, this day, from Richard Barrett, London-house, to support Holy Mother Church, and to provide sacramental wine for the ladies and gentlemen of this town, the following goods to pay 1l. 0s. 10d., demanded for what the churchwardens, Mr. Ferris and Mr. Warden, called church-rate. Due notice of the sale will be given in handbills.”

This was followed by a list of articles and their prices, the total amount being “6l. 19s. 8½d.”

In pursuance of these notices on the morning of the 8th of May, a bugle was sounded to call together the inhabitants of the town, and they proceeded together to the shop of Oke, headed by all the defendants. What followed may be best given in the words of Mr. Oke, the principle witness for the prosecution.

William James Oke examined.—I am an auctioneer at Truro.

In May last, I was employed by a constable to sell some goods; the usual notice of the sale was given by handbills. The 8th of May was the day appointed for the sale. On that morning, Barrett, Randall, and Edwards, came to my shop. I was standing on a stool, with a box before me for a desk. In less than ten minutes I was surrounded by a number of persons, who abused me for undertaking the sale. They said "How can you sell people's goods to support a d—d b—y church?" The defendants were all there at the time; they hissed and hooted me, and abused me in a most tremendous manner. Randall, Barrett, and Edwards, forced themselves over my counter. They called to me to put up the Bible. I said, the Bible should not be sold. The constable who had made the seizure, said, "Mr. Randall, you know you forced me to take the Bible." At 10 o'clock I read the conditions of sale. The moment I put up a hat there was great confusion. Some person bid threepence for it. Barrett said, "Who is that offered? show him up, show him up!" I knocked down the lot for fourpence. They called the purchaser all sorts of names. Barrett said, "I insist upon the hat being paid for before another article is put up." I said "I have the hat in my possession, and shall be answerable." I then put up a waiter. It was knocked down to Crocken. I asked him for the money. He said he had handed it to me, but I did not get the money. The uproar was tremendous at that time. A man called Rowe said, "Adjourn Oke, for six months; you'll never sell now." I called to Lawry, a constable, who was present, but a

voice answered, "He's gone." The glass in my window was broken, and I heard the shelves in my shop breaking. I then said, "I adjourn this sale to half-past two." Barrett said, "You have no power to adjourn the sale." I said, "I would take the responsibility on myself." The people groaned and laid hold of me, and tore my coat in pieces; they pulled me dreadfully about, but I escaped into the kitchen. I called out for help, and some friends assisted me, otherwise I have no doubt they would have seriously injured me. The mayor afterwards came near, and I made application to him for assistance, but I did not receive any. The people then dispersed. Great mischief was done to my shop. Shortly before two o'clock, I saw Barrett and Edwards come to my shop, accompanied by other persons, they kicked and broke open the door, Barrett's leg came in; he entered the door first; the mob then rushed up to the counter. I said, "You can't come inside the counter." Barrett, Edwards, and some others pushed against the counter and forced it down. I was pushed down. I escaped over the people's backs, but I scarcely know how. I heard some one cry out, "He's gone." I then went to the mayor for assistance, and returned to my house. The mob was so great, that I could hardly get to my house. I went in at the kitchen door. My wife was in a dreadful terror. A man said, "Oke is going to begin the sale." I then put up another article for sale; it was knocked down to Hugh Smith, but the glass was being broken, and there was such a noise that I could not do anything. There were from

600 to 700 people in the street. I went to an attorney, and returned and went upstairs, and opened the window, and mentioned Barrett's goods, and said I should put them up in one lot, and I knocked them down to a gentleman. I afterwards put the other things up in the same manner, and then closed the window and a stone was immediately thrown through the window after me. I went towards the stairs, but was afraid to go down. A little after that the mayor came, and looked through the window. I told him the sale was over. He asked if I wanted the shop cleared, and he directed the constables to clear the shop, which they did. I was protected by a constable into my kitchen. Barrett then came in, and asked for an account of the sale. I told him that I could then only give him the amount—namely, 2*l.* 6*s.* 4*d.* Barrett then went to the door, and said, "Oke has sold 20*l.* worth of things for 2*l.* 6*s.*, and I will publish him in every paper in England." The mob groaned and hooted, and the constables nailed up the doors. The same evening a band of music paraded the town, accompanied by a number of people. When they came opposite to my shop, they threw stones at it. Before this 35 panes of glass had been broken in my shop window.

From the cross-examination, it appeared that Oke had formerly been a dissenter, and of the same sect as Randall and Barrett, but had quarrelled with some of the party, and become a churchman. One of the defendants (Edwards) was a minister of the *Bible Christians*.

The above account was confirmed by the evidence of several

other persons (some of them dissenters), who also deposed to the most gross epithets applied to the church by Spurr, Barrett, and Ball.

For the defence, several witnesses were called, who said they saw no breach of the peace, that the crowd were in perfect good humour; and the row, such as it was, only *kicked up* by a few boys. They heard no threats of violence, nor any bad language used—Barrett had asked the people to be quiet.

Mr. Baron Gurney proceeded to sum up the case to the jury. In doing so he observed there was no doubt that if persons assembled to the number of three or more in a tumultuous manner to the terror of the people if the object was lawful, but to carry that object by means of force or terror, that would constitute the offence of riot; and if the evidence they had heard on the part of the prosecution, or half that evidence were true, there could be no doubt that in this instance a riot had been committed. At the same time, it was of great importance very often to ascertain in what manner the parties had assembled, and how they had been collected together, in order to determine what their intention was, and whether any little excess that might have occurred was the result of momentary excitement, or a premeditated plan; and it was for the purpose of showing what was the object of the defendants that the placard and advertisement had been read. Whether the defendants felt any regret for having published them, Mr. Baron Gurney said he did not know; certainly nothing in this case had shown that they did. More disgraceful publications he had never had the misfortune to meet with—

disgraceful to them as men, but much more so as men professing religion. It appeared that a bible had been taken from Randall, Mr. Randall proffering that bible evidently for the purpose of exciting odium. That any man, much more a religionist, and still more a teacher of religion, should so act, was one of the most disgusting circumstances which during a long professional life he had ever heard of. The learned judge having stated the chief facts given by the witnesses for the prosecution, said, that, on the part of the defendants, they had the evidence of nine or ten persons, most of whom were in or out of the house, and they gave a totally different version of the case. They said there was no disturbance of the peace. What these constables might consider to be a disturbance of the peace he did not know, but this should be understood—that negative evidence was not equal to that of positive evidence. Much had been said of these men having acted from scruples of conscience, and their conduct had been compared to that of the quakers; but he would tell them that if they had followed the conduct of the quakers, all would have been well, for there had never been an instance of that body inciting parties to acts of disorder, and, till within the last ten years, no man living had ever heard of “conscientious scruples” upon this particular subject from any class of dissenters, nor until questions of conscience had been mixed with political feeling. He respected the rights of dissenters—no man more so; but he felt great distress when he heard conscience prostituted by an admixture of political feeling. If a man purchased a

house, he gave a price subject to all burdens upon it, and he calculated that he should have to pay certain rates and certain taxes, and in proportion to those so had he estimated its value. The learned baron said he had never heard that any one of these persons had paid over to his landlord any sum he might have saved in consequence of the reduction of any tax, and until any man had done that, the less he said about his conscience the better. The church-rate was an ancient rate payable by law. It was the duty of all men to pay it, as it was the duty of all men to submit to the law. But to endeavour to render the law odious by acts of violence was a crime punishable in itself, and if carried on in the way this had been, it became of serious importance.

The jury having delivered the verdict of *guilty* against all the defendants, Mr. Baron Gurney proceeded to pass sentence upon them. He observed that the conduct of three of the defendants distinguished their cases from the other two, and he should therefore distinguish their cases in the punishment. Barrett, Edwards, and Randall, were consequently sentenced to be imprisoned one month and pay a fine of 25*l.*; and Spurr and Ball to be imprisoned one month: all were to enter into recognisances for their good behaviour for three years, in 100*l.*, and to be imprisoned until the fine should be paid, and the recognisances entered into. It should be observed that Baron Gurney is understood himself to be a dissenter.

3. ROWING MATCH ON THE THAMES.—A rowing-match, between gentlemen of the Universities of Oxford and Cambridge, “came off” on Wednesday, in

great style. The number of spectators who lined the sides of the Thames, and covered the bridges from Westminster to Putney—the distance agreed on for the match—was very numerous, though the wind blew coldly from the North-east. The Cambridge gentlemen were victorious; showing their superiority both in vigour and rapidity of stroke. The distance was performed in thirty-one minutes. There were eight rowers in each boat.

— PEMBERTON v. HAMILTON.

—In the Under-Sheriff's Court, a jury gave 500*l.* damages against a Mr. Hamilton to Mr. Pemberton, whose wife the former had seduced. Mr. Pemberton was a solicitor of large practice; Mr. Hamilton was his articled clerk, and only twenty years of age. Mrs. Pemberton was described as very "lively." She was about forty years old, and the mother of nine children.

The most remarkable circumstance, perhaps, in the case, was the manner in which the lady's misconduct was discovered by her husband, who before had not the slightest suspicion of it.—She had suffered a desk to lie open on the table containing letters, which of themselves afforded decisive proofs of her guilt.

9. EXTRAORDINARY CASE OF MANSLAUGHTER.—A case of almost unusual nature was tried at the Norwich Assizes. Henry Gathercole, the prisoner, had thrown himself into the Hundred-foot river, whereupon the deceased, Thomas Vincent, jumped in after him, in order to endeavour to save him; and after struggling together for some time, the prisoner succeeded in getting out of the water, but the deceased sank to

rise no more. The prisoner almost directly afterwards threw himself again into the water, but was again rescued from a watery grave by one Hammond, whose humane bravery was not rewarded by the loss of his own life, as that of poor Vincent was. These were all the facts of the case.

Mr. Justice Vaughan observed, that the real question in this singular case was, whether the prisoner, at the time he attempted to destroy himself, was in a sound state of mind, capable of distinguishing right from wrong. If he was, and he had succeeded in destroying himself, he would have been a *felo de se*, and if the deceased, in his attempt to rescue the prisoner from drowning lost his own life in the struggle which ensued, the prisoner, in the eye of the law, was guilty of manslaughter at the least; he was strongly inclined to think he was liable to be indicted for murder. If, therefore, the jury should be satisfied that the prisoner was in such a state of mind as rendered him responsible for his own acts at the time of this attempt to drown himself, and if the deceased in his attempt to rescue him had lost his own life in the manner stated, he was guilty of the offence imputed to him by the present indictment.

Mr. Johnson, a surgeon, was then examined, and stated that he was called in to attend the prisoner after being taken out of the water, and that he asked him what induced him to make this attempt on his life? The prisoner answered that "he was tempted by the Devil or some evil spirit, and that when he saw the boy Vincent coming upon the bank, he thought he should be interrupted, and jumped into the river in hopes

of being drowned before the boy got up." He added that the boy jumped in after him to pull him out, and after struggling violently for some time, "he got out of the water, leaving the boy under it." He also said he had tried to do away with himself at an earlier hour that morning, but that just as he was going to jump in some invisible spirit pulled him back. The surgeon deposed that the prisoner was labouring under an aberration of mind, and incapable of knowing right from wrong.

Mr. Justice Vaughan having explained the law to the jury, they *acquitted* the prisoner on the ground of insanity, and he was ordered to be taken care of until her Majesty's pleasure could be known.

12. ATTEMPT TO MURDER BY POISON.—At the Norfolk Assizes, Charles Daynes was found guilty of having administered arsenic to his wife, Hannah Daynes, on the 11th of March previous, with intent to murder her.

The prisoner had been tried the day before for the murder of his child, but as no evidence was given of any motive on his part to commit a deed so diabolical, the jury *acquitted* him. His wife partook of the tea into which he was supposed to have put the poison which killed the child, but by great care and skill on the part of the medical men, her life was preserved. By the rules of law, his wife was not a competent witness against him upon the first charge, but upon the present indictment, which was for an offence against herself, her evidence was received.

It was shown, that on the 11th. of March, the village of Hempnall, near Long Stratton, Suffolk, in which the prisoner lived, was thrown into consternation by a

report that his family and a neighbour named Mills, had been poisoned. His wife ran to the house of a friend and gave the alarm, but was herself taken so seriously unwell, that she could not walk back to her home without assistance. The neighbours flocked to the house, when the prisoner's wife, his two younger children, and Mrs. Mills, were all discovered lying on the floor, in a state of the greatest sickness and agony, complaining of burning heat in the stomach and throat, and the severest pains in the body. The prisoner came upon being sent for, and after procuring and administering to the invalids some castor oil and antimonial wine, he inquired on what they had been breakfasting, and being told that his wife had taken some tea, he took the kettle off the fire and threw out the water that was in it, rinsed it, and refilled it. He was then about to throw away the sopped bread on which his children had breakfasted, but was prevented by the persons who were standing by. The village doctor came about noon, but, notwithstanding all his skill and exertions, Mrs. Mills and the prisoner's youngest child breathed their last in the course of the day, dying in the greatest pain. Upon an analysis of the tea which remained in the cups out of which the prisoner's wife and Mrs. Mills had drunk, and of the sop on which his children had breakfasted, they were found to contain a considerable quantity of arsenic; and the same poison was found adhering to the side of the kettle in which the water was boiled from which the tea had been made. It appeared upon inquiry, that the prisoner had got up before the rest of his family on that morning,

and, having made the fire, had filled the kettle from a pail which stood in the back-house, and placed it upon the fire. Just as he had done this his wife and son came down stairs, and he and the latter put their day's provision into a bag, and went out to their labour. Before he left the house the son drank some water from the same pail from which the kettle had been filled, and felt no ill effects whatsoever. It appeared clear, therefore, that the family had been poisoned in consequence of arsenic having been put into the tea-kettle. The prisoner was shown to have applied at a shop a few weeks before this tragical event occurred for some arsenic, but being told that he could not have it without a witness, he declined to purchase any, and instead bought some *nux vomica*.

The motive for his committing this dreadful act was thus shown :—He had formed a criminal connexion with a widow of the name of Ann Lloyd, and wished to get rid of his wife, in order that he might marry her. This woman was also examined on the second day's trial, and it appeared by her evidence, that at Whitsuntide, 1837, the prisoner was engaged upon some work at the village of Keswick. In consequence of the distance from his own home, he lodged at the house of Mrs. Lloyd's brother, in which she also lived. An intimacy sprang up between him and Mrs. Lloyd, which ended in a criminal connexion between them. He told her he was a married man, but added, that his wife was an afflicted woman, and he thought she could not live long—not above two months. He also told her, that “if his wife was to die he should much like to have her,”

and requested her to “keep herself single for three years.” After some time, Mrs. Lloyd's brother, in consequence of Daynes's conduct towards her, and the rumours in Keswick, requested him to leave his house. About Michaelmas, 1838, this woman had become acquainted with another man, and from that time she “had shunned the prisoner's company all she ever could.” Six weeks before the tragical occurrence in question, she saw the prisoner at Tasburgh church, and after some general conversation, he told her “his wife was very unwell, and he thought she could not live through the winter:” this was the last time she met the prisoner.

This witness when cross examined admitted having falsely denied upon oath before the coroner that any criminal intercourse had taken place between her and the prisoner.

Hannah Daynes, the unfortunate wife of the prisoner, was examined. She appeared to be still suffering from the effects of the poison she had taken, and was much agitated at his dreadful situation. After stating that on the evening previous to this occurrence she and her family drank tea made with water boiled in the kettle which was used on the morning in question, and that there was nothing deleterious in the kettle or the water on that evening, she gave an account of the effect upon their domestic peace produced by the prisoner's unfortunate connection with Ann Lloyd: she said, “she had had many words with him about her, and he did not behave so kindly to her as he had done before he knew her.” On one occasion, when the woman came to the prisoner's house to see him,

they had some private conversation together, apart from the wife, who at length asked him "what secrets they could have that his lawful wife might not hear?" No answer was made to this question, but the prisoner seemed desirous of going out; the woman, however, hesitated, upon which the wife told her to go, "otherwise she (the wife) should hear of it for a week." They made no answer to this, but went and remained out together for some time. This was between Michaelmas and Christmas, and was the last time on which Mrs. Lloyd was at the house of the prisoner. Upon a previous occasion, just before the harvest, the prisoner, his wife, and Ann Lloyd were working together in a field. At that time the wife was not fully persuaded of his illicit connexion with Ann Lloyd. She had, however, a very strong suspicion upon the subject, and she accordingly told her "she was very, very unhappy with her husband, and she could not think it could be owing to anybody but her; and if he went on so, she would have to leave him and go into the workhouse." Ann Lloyd having by this time formed her new connexion with Fawkes, she was rather desirous of getting rid of the prisoner. Upon his wife, therefore, making this complaint, Ann Lloyd turned to him and said, "She could not think how he could do so, as he could not have the love for his wife and family that he ought to have; he should think of them, and not of her." He coolly replied "he could not help it," and left them and continued his work in a different part of the field.

The evidence of these two women formed the great and impor-

tant addition to the proofs adduced on the former trial.

The sentence of death passed on the prisoner was carried into execution at Bury, on the 27th of this month, Daynes having previously made the amplest confession of his guilt. It appeared that he had meditated this appalling murder for many months, and that he had twice before endeavoured, ineffectually, to effect his deadly purpose.

13. CASE OF RIOT.—At the same assizes John Larnar and eighty-one other persons were arraigned upon an indictment, which charged them with feloniously remaining assembled in a state of tumult for one hour after the Riot Act had been read.

This proceeding arose out of a claim made by Larnar to some estates in the county of Norfolk belonging to Mr. Jermy, the recorder of Norwich. Larnar and his eighty-one fellow-prisoners riotously assembled upon the estate on the 24th of September, 1838, and the magistrates attended and read the Riot Act, and ultimately all the prisoners were captured.

They pleaded guilty to an indictment charging them simply with the riot. Larnar and one other of the prisoners received sentence of three months imprisonment, nine others of two months, and the remaining seventy-one of one week.

— CHARGE OF MURDER —
BRIGHTON.—A man named Johnson was committed to Lewes gaol charged with the murder of his wife, who was found the same morning lying dead in her bed with her throat cut in a dreadful manner. Johnson lived at No. 80, Nottingham-street, one of the most notorious parts of the town, and

kept a lodging-house for tramps. For more than a week the deceased had been constantly drunk, and, it was said, had frequently threatened to make off with herself. The Johnsons were usually very early risers, but on Sunday morning the neighbours were surprised to find the house locked, and although they tried the door could get no reply from within. An old woman named Donnersly told them that she had met Johnson in the street, between eight and nine o'clock, and he had informed her he was going to Worthing, about twelve miles off, to carry his son some clothes. A ladder was procured, and a man got into the house through the upper window, and found Mrs. Johnson dead in bed with her throat cut. She was lying on her right side, as though asleep, and her face was completely covered by the blanket and counterpane, which seemed to have been loosely thrown over her head. A clean razor, and shut, was found upon the bed; and upon the top of the bureau bedstead was found another razor also shut. This razor had the appearance of having been very recently wiped, but there was blood on the inside of the handle, and the blade appeared to have come in contact with it when closed. The shutter of the bed was off its hinges, and leaning against the side of the bed, so as to conceal the body from view if any one looked through the window. This board was marked with blood on both sides near the top, as though some blood-stained hand had taken hold of it; and the deceased's cloak was found hanging across this shutter in such a manner as to have covered one of these stains, thereby proving that the cloak was thrown across it after

the stain was made. An officer immediately set off for Worthing, and there found the husband of deceased, in bed and asleep at a beer shop. Prisoner had the key of his house-door in his pocket, and there were two marks of blood on his shirt-sleeve. When questioned by the officer, he said he left his wife at home in good health, but had locked her up till his return in the evening, that she might not go to the public-house. He was then informed that she had been found with her throat cut. Prisoner manifested not the least surprise, but said she had frequently attempted to make off with herself. When before the jury he repeated the same statement.

— AFFRAY WITH POACHERS.—

William Page, Samuel Page, sons of a farmer in good circumstances, and William Allday, were tried at the Norfolk assizes for shooting Daniel Harpley, with intent to murder him.

The prosecutor was principal gamekeeper to Colonel Say, the possessor of some estates in the parish of Crimbleham, where also the prisoner resided. On the night of the 1st of November the prosecutor, his brother William, and six assistants, were out watching the pheasant covers of Colonel Say, and, hearing some shots fired in Thom-wood, they made for that place, and on arriving at it they saw the prisoners in the act of leaving the wood, the Pages being each armed with a double-barrelled gun, and Allday with a bludgeon, and carrying a game-bag. The keepers separated into two parties for the purpose of surrounding the prisoners. Harpley, his brother, and two others, went down the side of the hedge and met them, but they were no sooner seen by

the poachers than the latter stopped, and Allday called out to his companions, "Shoot, fire!" The two Pages instantly levelled their guns, and William Page fired off both barrels, wounding the prosecutor, his brother (very severely), and another of the keepers. Samuel Page also pulled the trigger of one of his barrels, but the percussion cap cracked and the gun did not fire; it appeared afterwards that the lock of his second barrel was broken, but both barrels were loaded. William Harpley was desperately wounded and was unable to rise; his trousers on one thigh were cut nearly in two, and he was many weeks before he recovered. Some of the shots passed through the thigh of Daniel Harpley, and he was confined to his bed for a long time. Seeing his brother thus severely wounded, Daniel Harpley, wounded as he was himself, ran up to William Page, and, parrying a blow which that person aimed at him with his gun, he in his turn felled Page by a blow on his head with a rabbit spade, which inflicted so severe an injury as to confine him to his bed for many weeks, during part of which time he laboured under a concussion of the brain. He was thus secured, and the other prisoners being also taken, both parties alike wounded and suffering, walked or were carried off the field.

When these facts had been proved, the prisoners begged to withdraw their plea and plead guilty, which was granted, and they pleaded guilty accordingly.

Mr. Justice Vaughan said he had very serious doubts whether, consistently with his duty to the public and the public safety, he could spare the lives of the prisoners. After an experience of

half a century passed in courts of justice, he could truly say that he had never heard of a more cruel, unprovoked, and cowardly attack than the prisoners had made upon the prosecutor and his assistants, persons who were themselves armed with no deadly weapons; and it was owing to Providence only, and not to any mercy shown by them, that the prosecutor and his companions were alive to give an account of a transaction which was a disgrace to human nature. His lordship directed that sentence of death should be recorded against the prisoners, telling them at the same time that if their lives were spared, it would only be done upon the condition of their leaving the country for the remainder of their lives.

— TRIAL FOR MANSLAUGHTER.

—The trial of Francis Hastings Medhurst for the wilful murder of Joseph Alsop, at the school of the rev. Mr. Sturmer, at Hayes, in Middlesex, came on in the Central Criminal Court, and excited great interest. The court and avenues leading to it were crowded at an early hour by persons of all ranks, who appeared very anxious to witness the proceedings.

The prisoner was charged on the finding of the coroner's jury with the wilful murder of the deceased Joseph Alsop, and he was further charged upon the finding of the grand jury with the manslaughter of the deceased.

The attorney-general having stated the case, proceeded to call witnesses—the principal part of their evidence we insert as it was given.

Edward William Bunny.—I was a pupil in the establishment of the rev. Mr. Sturmer, and was acquainted with the deceased, who

was also a pupil there. On Saturday morning, the 9th of March, Mr. Dallison, another pupil, was about to quit the house, and the deceased and I took leave of him in the hall. The prisoner passed us, but did not speak. A few minutes after Mr. Dallison left the house, Mr. Sturmer, the deceased, and I were in the dining-room, and I was in the act of stooping to get a book from a lower shelf in the book-case, when the prisoner came in, and I heard him say to Mr. Sturmer, "See what that blackguard has done who has just left your house; he has broken the glass of my watch," upon which Mr. Sturmer replied, "I wonder you have not knocked him down before." The prisoner then made some further observation with regard to Dallison, when the deceased said "You are a liar." The prisoner at the time had a large stick in his hand, with which he immediately advanced, and struck the deceased two or three severe blows. A scuffle then took place between them, and the deceased having succeeded in wresting the stick from the prisoner, struck the latter with it, and they then separated about a distance of eight feet from each other. The deceased, who held the stick upraised in both his hands, was advancing to strike the prisoner, when the latter drew his knife from his pocket, and, making one step forward to meet the deceased, stabbed. I saw the prisoner draw the knife from his pocket with the left hand, and heard the snap of the spring as he opened it with both hands. The deceased immediately placed his hands upon his side, and exclaimed, "He has stabbed me!" and he then went down on both

his knees close to the mantelpiece. Before the blow was struck the deceased was nearer the door than the prisoner. The door was opened, and seeing the deceased fall, I ran out of the room and went after Dallison, and as I left the room I saw Mr. Sturmer outside, but I said nothing to him. There had been a coolness between the prisoner and the deceased about some trifling matter which took place on the previous Sunday. The deceased and Dallison were on intimate terms. I know the knife produced, and remember seeing it in the prisoner's possession during the whole of the previous quarter, and before the deceased came to the school, which was about three weeks prior to the event. The deceased was stouter and stronger than the prisoner.

The rev. Mr. Sturmer's evidence confirmed that of Mr. Bunney. He denied, however, that he made any remark to Medhurst, on his showing him the watch. He said, "Medhurst had been in my establishment for two years and about two months; but for the last half year he was more as a boarder than a pupil. The pupils had not spoken to the prisoner for a week before. It would be difficult to say what had occasioned the coolness, but the deceased had once before exhibited a similar feeling towards Mr. Medhurst. But I did not see the result of the quarrel, as I left the room immediately. I did not interfere to prevent it, nor did I say anything before I left the room. After an absence of about two minutes, I was returning to the room, when I met the prisoner coming out. He looked pale and ghastly, and I distinctly heard him mutter to himself, "Good God! what have I

done?" or some such expression of horror. I thought at first that it was he who had been hurt, but on entering the room I found the deceased bleeding on the floor. I immediately ordered a surgeon to be sent for, and on my return I found that Mr. Alsop had gone up stairs assisted, as I was informed, by the prisoner. On my going to the bed-room I found the deceased lying across the bed on his back, and the prisoner was in the act of stooping over him holding his hands on the wound to stop it. Mr. Chadwick, the surgeon, came soon after. The deceased was an orphan under the guardianship of his aunt, who had placed him under my care. After Mr. Chadwick had been with him, the deceased was desirous of seeing his aunt, but believing from what I had heard that the wound was alight, I suggested that it would be better to wait until the next day. The deceased, however, was extremely anxious that his aunt should be sent for, and some question having arisen about the distance and the expense of sending so far, the prisoner at once said, "Do not mind the expense of an express, I will pay for it." When I proposed to Mr. Alsop that it would be better to wait until the morning before he sent for his aunt, observing that the wound was only a scratch, he shook his head, and said he should not be alive on the next day; and then he turned to the prisoner, their hands being clasped together, and said, "We were both wrong, and I forgive you." I sent an express off for Mr. Alsop's aunt, who arrived at the house the same evening. The deceased died on the following Thursday, at twelve o'clock. On the previous day I

asked [the prisoner for the knife, and he immediately delivered it up to Mr. Patten, one of the surgeons. I was aware that the prisoner had had the knife in his possession, as far as I know, for about a month. He always carried it about with him. I have seen him cutting strings with it, and remarked to him that it was a very dangerous sort of knife. Cross-examined by the attorney-general.—I have also seen him cut wood with the knife. He was fond of carpentering, and was a great mechanic. I had some conversation with him about carpentering on the morning in question. He wished to have some things brought from Uxbridge. He was then as calm and tranquil as usual. The dispute between him and the pupils was about a hassock in the church on the previous Sunday, but the prisoner had several times during the week expressed, both to Mrs. Sturmer and myself, a wish to be reconciled to the deceased. I have always heard the prisoner say that he valued his watch highly, because it had belonged to his deceased father. When he came down into the dining-room to explain of the glass having been broken, he appeared excited and angry. After the occurrence the prisoner the greatest grief, and no person could exhibit more humane or Christian feeling, and he displayed the greatest solicitude for the recovery of the deceased. When I asked him to give up the knife he said, "Most willingly," and he subsequently surrendered himself voluntarily to a magistrate, who, however, declined to interfere until an inquest had taken place.

Mr. B. Chadwick, surgeon.—On the morning of the 9th of

March I went to the house of Mr. Sturmer, at about ten o'clock. I found the deceased in bed. Mr. Medhurst was with him, and as soon as he saw me he said, "Good God! Mr. Chadwick, make haste." I then proceeded to examine the deceased, who told me he had received a wound. Upon turning down the bed-clothes I observed that Mr. Medhurst was pressing down the abdomen of the deceased with a napkin. I found that the wound was on the left side of the body, about an inch below the naval. The length of the wound was from an inch and a half to an inch and three quarters. It was a cut wound, and such a one as the knife produced would inflict. I did not either probe or search it, as I was not then aware of the nature of the instrument which had produced it; but, believing that it was a common knife which had been used, I did not consider the wound dangerous at that time. On the following morning (Sunday) I perceived indications of the patient having received some severe internal injury, and in the evening vomiting took place, which I considered an unfavourable symptom. Mr. Patten, another surgeon, was then called in, and we both attended the deceased until he died. By direction of the coroner I made a *post mortem* examination of the body on the following Saturday, and I was then enabled to trace the direction which the weapon had taken. I found that it had cut through the peritoneum, and also the omentum, but I did not perceive that any of the bowels were injured. The wound was the primary cause of death, by producing inflammation first, and then mortification. I did all I could to produce a fa-

vourable result, but my opinion is that nothing could have prevented that wound from producing death. Both the prisoner and the deceased expressed the greatest regret at what had taken place. The prisoner displayed the greatest kindness and good feeling towards Mr. Alsop, and had been his brother he could not have behaved better.

Mr. Charles Patten and two other surgeons were examined. Their evidence went principally to prove that from the nature of the wound death would have ensued under any treatment. They concurred in their testimony as to Mr. Medhurst's behaviour towards the deceased after the transaction, and in the account given of it by the latter when he was aware that its end was approaching. Mr. Broglie said, I had some conversation with the deceased, and having told him that there was no hope of his recovery, I said it might be consoling to him to communicate to me under what circumstances the affair took place. I then asked him if he had done anything to induce the row? He replied, "Yes, I called him a liar and a blackguard, and he then struck me." I asked him if he thought there was anything premeditated on the part of Medhurst, and he answered, "Decidedly not." He had previously said that he forgave Medhurst, and could do no more.

The jury having retired for about half an hour, returned into court acquitting the prisoner on the indictment for murder, and finding him *Guilty of Manslaughter*.

Mr. Justice Coleridge in passing sentence on the prisoner observed, "from the character you (Medhurst) have received—from

the fact of the sudden quarrel in which you were engaged—from the absence of malice or premeditation on your part, and from the fact which I have ascertained, that from the moment you inflicted the fatal blow down to the present time, your whole conduct has evinced more of sorrow for the crime you have committed than apprehension of its consequences to yourself—all these circumstances combined, have induced the court to deal mercifully by you. I should be extremely sorry, however, if it should be supposed, that in passing upon you a lighter sentence than transportation, the court have forgot to take into consideration the deadly weapon which it appears you carried about you; but for the fact of your possessing that knife you would stand before the court in a more favourable position than you now do. With regard to Mr. Sturmer, the court feels, that if he had done his duty as a man, a tutor, and, above all, a clergyman, instead of leaving the room as he did, the fearful catastrophe would have been prevented, and you would not now be standing at that bar convicted of having deprived another of his life." The learned judge concluded by sentencing him to three years' imprisonment in the Cold Bath Field's House of Correction.

26. MR. MARTIN, M. P. FOR GALWAY.—This gentleman, whose imprisonment for riots in Ireland was recorded in our last number, was brought up at Bow-street office, together with captain Ryder Burton, R. N., charged with fighting in the streets. Each of the combatants was ordered to find two sureties in 250*l.* and enter into his own recognizances in 500*l.* to keep the peace.

VOL. LXXXI.

A debt due by Mr. Martin's father to captain Burton was said to be the origin of the quarrel.

28. TWO GENTLEMEN DROWNED IN THE THAMES.—A melancholy accident, accompanied with fatal consequences, occurred on Sunday afternoon, at Harleyford, on the Thames, near Marlow. A boat, in which were Mr. A. H. Thomson, brother of Mr. Poulett Thomson, and his wife, and a young gentleman, son of Mr. Wadham Wyndham, who resides in the neighbourhood, was unfortunately upset by the force of the current dragging it over the weir, and the party were plunged into the stream below, where it is very deep and troublous. Mrs. Thomson was taken out of the water insensible, after having sunk twice, and was, after great exertions, restored to life; but Mr. Thomson and Mr. Wyndham sunk to rise no more alive. Their bodies were recovered after some lapse of time, when all attempts to restore animation proved unavailing.

29. BALLOON ACCIDENT.—An accident, which was very nearly attended with the loss of several persons' lives, occurred on Monday evening through the mismanagement of some parties concerned in a trial of a new balloon, preparatory to an ascent at the opening of the Croydon Railway. A large stage having been erected for the purpose in an adjoining meadow, the inflation was commenced, a number of men being employed in holding the vast machine. In the space of twelve minutes the balloon was completely filled with heated air, and the ascending power suddenly became so great, that in removing the machine away from the furnace, it escaped from the hands of most

F

of the men, and ascended to a great height, taking up five persons clinging to the ropes and sides of the car. One of these, when about thirty feet from the ground, could hold on no longer, fell, and was much injured. The others remained clinging to the balloon, and were conveyed about a mile, when the machine, having lost its power by the condensation of the contained air, descended in the midst of a field. The principal gardener belonging to Beulah Spa, William Stevens, having let go his hold, got his foot entangled with a rope, and was thus suspended with his head downwards for several minutes. When the balloon reached the earth, his leg was found to be completely severed, being attached by the tendons only. One man was caught by the grapnel, and seriously torn. The other two, although much cut and bruised, received no material injuries.

— THE CHARTISTS.—At Llanidloes, in Montgomeryshire, several persons charged with taking arms by force from farmers and others, were apprehended by policemen sent from London by the Home Secretary, at the request of the magistrates. Their arrest caused much exasperation; and a large body, armed with pikes and guns, went to the Trewythen Arms Inn, whither the prisoners had been conveyed, and, breaking open the doors and windows, wounded and cudgelled the policemen, and rescued the prisoners. Mr. Marsh, a magistrate, narrowly escaped a serious wound from a pike which went through his hat. A messenger was sent to Lord Clive, lord-lieutenant of the county then commanding the South Salopian Yeomanry at Shrewsbury;

and his lordship sent a party of the yeomanry at once to Llanidloes, while the Montgomeryshire Yeomanry also received orders to be in readiness to act.

On the arrival of the military five of the rioters were apprehended at their own homes, and twelve more in endeavouring to make their escape to the hills, but the principal ringleaders were not to be found. Their followers fled in all directions.

MAY.

3. CHARTIST DRILLING.—Seven chartists were arrested for drilling at Manchester. For some days about 100 of these misguided men had nightly assembled in a retired lane on the Oldham road, about three miles from Manchester, where they underwent regular drillings in marching and other evolutions, but without arms; and the magistrates, determined to put a stop to the practice, gave orders to the police for that purpose. Three men then went to the rendezvous, and found two squadrons or companies drilling, one of twenty-five and the other of fifteen, a man named Riley giving the word of command. The police did not interfere; but as they separated arrested a party of eight. One of them, not being recognised, was discharged. It having been announced that a Chartist meeting would be held at Westbury, in Wiltshire, on the 8th inst., and another at Trowbridge, the magistrates at both places took means to preserve the peace. At the former place, Potts a druggist from Trowbridge, with other leaders, so far committed themselves, that the magistrates issued warrants for

their immediate apprehension. They were committed for trial, as was also Roberts, another notorious leader, who claimed to advocate the cause of Potts before the magistrates. He was placed as a prisoner by the side of his friend, and after a due investigation of the several charges against each, they were sent off together to Fisherton gaol, to abide their trial at the next assizes.

— **DESTRUCTION OF THE CHELTENHAM THEATRE.**—This theatre, which was built in 1806, by Mr. J. Watson, a coadjutor of John Kemble and Mrs. Siddons, both of whom in the early part of their career appeared on the Cheltenham boards, was found to be on fire. At five o'clock A. M. the roof fell in with a most tremendous crash, and the whole building, together with two or three small houses adjoining it, was completely destroyed.

4. **DUKE OF NEWCASTLE.**—Considerable attention was excited by the dismissal of this nobleman from the lord-lieutenancy of Nottinghamshire. It would seem that the duke refused to insert in the commission of the peace the names of some gentlemen, against whom his principal objection was, that they did not belong to the established church; and that when the lord chancellor remonstrated with him, he returned an intemperate answer, to the effect, that he would have nothing further to say on the subject to lord Cottingham, who evidently did not know what he was writing about. His grace was asked to withdraw this letter; and on his refusal, was removed from the lord-lieutenancy. The earl of Scarborough was appointed his successor.

4. **THE REV. MR. STEPHENS.**—This gentleman addressed the

“People of London” on Saturday night, at the Crown and Anchor Tavern, Strand, in a speech which occupied upwards of four hours in delivery. The rev. gentleman, as on former occasions, endeavoured to excite the feelings of his audience against the New Poor Law, and produced statements to show the barbarous cruelties which were being carried on under that act, by the instructions of the parties whom he denominated the “three commissioned devils of Somerset-house.” He besought the people no longer to remain subservient to so unlawful, so unchristian, an enactment. Those commissioners, he said, were the greatest levellers in England. The acts of those men had for their object the turning religion into infidelity. The commissioners were digging the grave of all the social relations of life; they were widening the gulf between the rich and the poor; they were breaking down the bridge by which alone the poor man had been enabled to approach the rich; in fact, their acts were rapidly leading to anarchy and to the destruction of the poor. They had heard much said about civil wars; why, he would rather plant the standard, he would rather unfurl the colours, he would rather stand at the cannon’s mouth, ay, he would rather go even to the death, than consent to live the slave of the poor-law commissioners. Mr. Stephens’s eloquence was greeted with hearty cheers by his auditors, who appeared to have been very numerous. At the close of his address, he announced that in the course of the next week, he intended to meet “the people” at White Conduit-house; and that on the following Sunday, he should take the liberty

of preaching a sermon on Kennington-common, or in the Regent's Park, of which, however, due notice would be given. On the latter occasion he trusted the Bishop of London would honour him with his presence, when his lordship would have an opportunity of forming an opinion as to whether the doctrines he should then preach were false or true.

9. FALSE WITNESS.—In the Sheriff's Court, an action was brought by Mr. Catherick, an upholsterer, to recover rent of lodgings from Mr. Menzies, a dancing master. For the plaintiff, Charles Marshall, his brother-in-law, was called; but he gave his evidence in so prevaricating a manner, that the court would not receive it. John Marshall, his brother, was then called; but he was observed to hesitate and look at his hands when questioned as to a date; and being ordered to show his hands, the palms were found written over with the dates and sums he was directed to swear to. The plaintiff's counsel threw up his brief, and a verdict for the defendant was returned.

—CASE OF LIBEL.—On Thursday, the Court was occupied with the trial of an action brought by Mr. Harmer, an attorney in Bristol, against the publisher of the *Bristol Mercury* for a libel. The case arose out of the last Bristol election. A petition was presented against the return of Mr. F. H. Berkeley, and a woman named Verrier was examined to prove bribery. This woman was afterwards prosecuted and convicted for perjury. The plaintiff in the present action was her attorney, and Mr. Thesiger her counsel. In the course of that trial, Mr. Thesiger cross-examined

Mr. Berkeley as to some connection with women in early life: and Mr. Berkeley, very much offended, took the opportunity of a public dinner in Bristol, soon after the trial, to speak in terms alleged to be libellous of Mr. Thesiger and the attorney; whom he accused of going to the "extreme of blackguardism." A report of Mr. Berkeley's speech appeared in the *Bristol Mercury*, and the plaintiff, passing over Mr. Berkeley, brought his action against the proprietor of the newspaper. Lord Abinger charged the jury strongly for the plaintiff, and they returned a verdict accordingly.

10. COMMITTAL OF VINCENT, AND OTHER CHARTIST LEADERS.—Vincent a printer, and notorious Chartist leader, the same who figured in the defeat at Devizes, having been arrested at his house in London, on a warrant sent by five magistrates of Newport, South Wales, for attending a riotous assemblage in that town about a fortnight before, underwent an examination before the high sheriff, and other county magistrates, and was, together with William Anselm Townsend, a wine merchant, and John Dickenson, pork butcher, committed to Monmouth gaol, to take their trial at the ensuing assizes, upon a charge of holding illegal meetings, and conspiring together to incite persons to discontent and dissatisfaction with the government, and to disobedience to the laws.

The following passages, as deposed on oath, of Vincent's harangues, will sufficiently justify the course pursued towards him. He told them (*i. e.* the mob), that they were robbed of a great portion of their earnings by the aris-

ocracy and the Government ; that the working classes were not represented, and so long as they had no voice in the election of the members of the legislature, they were not bound by the laws. He said, if their rights were not granted, they must make a general movement, and roll to and fro like the waves." He spoke of "a rising of the people as a thing that should happen soon, if the charter was not granted." Vincent said, "When the time for resistance arrives, let your cry be, 'To your tents, oh Israel !' then with one voice, one heart, and one blow, perish the privileged orders, death to the aristocracy, up with the people, and the government they have established." He spoke much about the soldiers, and that they were their brothers. The populace of Newport, were very riotous all day during the examination, and frequently attacked the constables, in consequence of which the mayor addressed the mob, concluding by reading the riot act. Frost, the Chartist, also addressed the populace in a very inflammatory speech.

— TRIAL AT EDINBURGH.—Mr. Alexander Humphreys, calling himself Earl of Stirling, was tried in the High Court of Justiciary, on the charge of forging documents to support his claim to the earldom. The jury unanimously found that the excerpt from a pretended charter of *novodamus* to the first Earl of Stirling, which the prisoner had produced in two separate actions as evidences of his claim to certain lands in Scotland, was a forged document ; and by a majority, that it was not proven that the prisoner had forged it, or uttered it knowing it to be forged. With

respect to a charge of forging certain documents on the back of an ancient map of Canada, to support his claim to extensive grants of land in North America, the same verdict was returned. The jury found that other papers, in which defects in the prisoner's genealogy were supplied, were not forgeries.

The prisoner's friend, Colonel D'Aguilar was with him in the dock during the trial. When the verdict was given, the prisoner fell upon the railings, uttered deep groans, and appeared dreadfully convulsed. Colonel D'Aguilar and the officers assisted him out of court. He returned after an interval, and the judge ordered the verdict of acquittal to be recorded.

12. REPUBLICAN INSURRECTION —FRANCE.—Another attempt to overturn the order of things as at present established in that country, was made at Paris, early on the afternoon of Sunday, May 12. At about three o'clock, a body of workmen, clad in blouses and caps, suddenly made their appearance in the Rue St. Denis, from whence, having been joined by others of their party, they proceeded to the house of Lepage, a gunmaker, where they seized and carried off about 150 muskets and other fire-arms. They then separated into divisions, attacked and disarmed several of the military posts, captured the Hotel de Ville in the Place de Grève, but were repulsed with the loss of several lives in their attempt on the Palais de Justice. A general movement was then made towards the Rue St. Martin, where, as usual, they commenced erecting barricades, extending from the church of St. Marie towards the Halle. These scenes occupied

scarcely an hour. The municipal guards were the first who approached the insurgents, and fired on them. After a heavy fire, with but little mischief to either party, the latter gave way, and fell back on their central point already mentioned. At the Rue Hauteville, one of the National Guards and a woman were shot by the rioters. They even appeared in the Rue Coq St. Honoré and in the Rue Croix des Petits Champs, but although their object was unquestionably to have attacked the Louvre in that quarter, they were deterred from it by the closing of the gates, and the firm attitude of the troops within. The soldiers did their duty with praiseworthy devotion; and the result was, that this dangerous outbreak was crushed, and on Monday morning tranquillity was completely restored. This insurrection appears to have originated within the Société des Familles, of which the assassin Fieschi was one. The leaders in it were M. Blanqui and others, well known as members of that society. One of them, a M. Barbes, was made prisoner, after having received a dangerous wound. Nearly 200 prisoners were taken. The number of insurgents killed or who died of their wounds was about forty. Nearly as many soldiers, officers, national guards, and municipal guards, were killed.

16. JUDGMENT ON CANADIAN PRISONERS.—In the Court of Exchequer, Lord Abinger delivered judgment in the case of the Canadian prisoners. After remarking on various points of law, and arguments urged by counsel, his lordship said, the court were of opinion that the return to the writ of Habeas Corpus was a sufficient and valid re-

turn, and, therefore, that the prisoners must be remanded to their former custody. The court was not called upon to pronounce an opinion as to whether the prisoners had been legally sentenced to transportation or not, as her Majesty's Government would be advised on that subject; but it was clear they had pleaded guilty to the crime of high treason in Upper Canada, and, therefore, if the sentence of transportation was irregular, and the prisoners wished to avail themselves of that irregularity, they might be again indicted, and put upon their trial for high treason in this country. Under all the circumstances, the court felt bound to discharge the writ of Habeas Corpus, and to order that the prisoners be remanded to their former custody.

An abstract of the argument in this case, which was protracted through several months, and brought to a close on the 25th of April, will be found in the Appendix.

17. MURDER.—A murder was committed at the residence of Mr. Edgell, a gentleman of fortune, in Sloane-street, Chelsea. William James Marchant was underfootman, and Elizabeth Paynter, under-housemaid, in Mr. Edgell's family. Mr. Edgell, with his wife and children, coachman, and one of the footmen, went on Friday to North Cray. The cook and upper housemaid, contrary to their master's orders, went out also, leaving Marchant and the woman Paynter in the house together. Marchant used to pay his fellow-servant attention, which she received ungraciously. When the servants who went out returned at night and forced their way into the house, after vainly

attempting to gain admittance by knocking, they found the body of Paynter, laid out at full length, and the clothes much disordered, in the drawing-room; she was quite dead, and a quantity of blood lying near her. Her throat had been cut from ear to ear, and a razor was found in the room. Marchant had disappeared. However, two days after, he gave himself up to the police, and was taken to the Brentford station-house. He seemed dreadfully distressed, and confessed that he killed the woman; who, he said, had provoked him by abuse. All these particulars, and more, were stated to a coroner's jury, and the next day Marchant was committed to be tried for "wilful murder." He was about twenty-two years of age. On his trial, which took place shortly after, Marchant pleaded guilty. He was condemned to death and executed.

18. FIRE.—A fire, which caused loss of life and property, broke out about two o'clock in the morning, on the premises of Mr. Baker, stationer, Bucklersbury, near the Mansion-house. The back part of the building was almost consumed before the fire was discovered by the police; and it was only after some delay, that the inmates could be aroused. At length Mr. and Mrs. Baker made their appearance at the window of the third floor, and escaped by ladders belonging to the engines. On Mrs. Baker exclaiming to the firemen that her children were all in the room which they had escaped from, Dwight, one of the brigade, rushed up the ladders to save them; but, just as he had got to the window, the flames shot out from the windows underneath, and he fell to the pavement with tremendous

violence, from the height of forty feet; he was conveyed to St. Thomas's Hospital, very much injured. By this time, the flames had made such ravages, that the house from the basement to the roof was in a blaze. Engines in great numbers soon arrived from all parts of the metropolis, and though the whole of them were got to play into the flames, the fire was not got under till near five o'clock, and the whole of the premises of Mr. Baker were burnt to the ground, and extensive warehouses on each side much damaged also. As soon as the fire was subdued, inquiries were made as to the inmates, and it appeared that nine slept in the house, and that five only had made their escape. A number of firemen were set to work to search amongst the ruins for the bodies; and at about six o'clock, three were found burnt to a cinder; one was discovered to be the body of the female servant, and the others Mr. Baker's children, two girls, aged nine and ten. An apprentice also lost his life. There were no fire-escapes to be had, or perhaps all might have been saved.

Another fire took place, on the Tuesday morning (21st) following, in Union-street, Kingsland-road, when a Mrs. Read was burnt to death, or crushed in the ruins.

18. RIOTOUS PROCEEDINGS AT GLASGOW.—This day, being the anniversary of the Queen's birth, was made the occasion of some public festivities, which terminated, however, as is not unusual in Scotland, in tumultuous and disgraceful behaviour on the part of some of the lower orders. There was a boat-race on the Clyde, between six and seven, which attracted a considerable crowd, and the evening was closed with greatly more

than an average display of squibs, crackers, and rioting. Many of the citizens were struck and grossly abused in the vicinity of the Cross, the common method of annoyance being to tear their coats to pieces and destroy their hats. A great number of rioters were apprehended, some of whom, on being taken to the office, were found to have their pockets filled with stones. About half-past ten o'clock, two hundred miscreants, armed with stobs, marched up from the Green with furious cries, for the purpose of creating a disturbance. Seeing that real danger was now very probable, captain Miller, with a strong force, rushed in and succeeded in capturing about two cart-loads of the weapons, amidst the cheers of the more peaceably-disposed portion of the crowd: receiving, however, a severe wound near the eye with a stone during the affair. Many of the police-officers were severely struck and mal-treated.

21. VISIT OF THE GRAND DUKE OF RUSSIA AND THE PRINCE OF THE NETHERLANDS TO OXFORD.—His imperial highness, the hereditary grand duke of Russia, and his royal highness prince William Henry of the Netherlands, paid a visit to the university of Oxford, where they were received with all due honour. On their arrival, they were waited upon by the vice-chancellor, proctors, and a deputation of the heads of houses. The two princes afterwards proceeded to the theatre, (where a large concourse of persons was assembled,) to receive the degree of D. C. L., which was formally conferred upon them, and upon several of their suite. On leaving the theatre, they were conducted by the vice-chancellor to the prin-

cipal colleges and public buildings, receiving in their progress very enthusiastic expressions of welcome. After partaking of a splendid dinner in the college-hall of Brasenose, where a large and distinguished party was invited to meet them, their highnesses withdrew, expressing themselves deeply indebted to the vice-chancellor for his courtesy and liberality. Very liberal donations were made by their royal highnesses to various benevolent institutions, the ringers, &c.

23. RETURN OF THE QUEEN DOWAGER.—The Hastings, 74, captain Loch, with the queen dowager on board, arrived at Spithead. The Hydra steam frigate went out to meet her, having on board the commander-in-chief, hon. C. E. Fleming, prince Edward of Saxe Weimar, (the queen's nephew,) lord Adolphus Fitzclarence, and other distinguished personages. The queen landed the following morning, at eight o'clock, a royal salute being fired from the garrison, and from the men-of-war, respectively, as the standard passed towards the point at which her majesty disembarked, the King's-stairs, at the dockyard, where she was received by a guard of honour, furnished by the royal marines, with their colours and band, the commander-in-chief, lieut.-governor, and the dockyard authorities. Immediately on her majesty's landing, she stepped into her carriage and proceeded to Buckingham palace. Her majesty's health would appear to have been much benefited by her trip; and she expressed the highest satisfaction at captain Loch's duteous study to consult her majesty's comfort on board the Hastings. Her majesty's return to England was warmly greeted with cheers by the com-

course of persons assembled on her arrival.

25.—**GREAT CHARTIST MEETING.**—The much-talked-of and alarming "grand moral demonstration" of the working classes of South Lancashire in favour of the people's charter was held this day upon Kersal-moor, four miles from Manchester. From the pains taken by the agitators to assemble a large mass of persons at a holiday-time, great fears were entertained that the public peace would be broken, and the magistrates issued a notice in which they earnestly recommended all well-disposed persons to abstain from attending such meeting, and further warned all persons attending the meeting of the dangerous tendency of their proceedings. Several regiments of soldiers had been directed to hold themselves in readiness, but fortunately their services were not required; the meeting passed off very quietly, and probably produced far less effect than was desired by the individuals who summoned it. It would appear that the number of chartists present on this occasion did not exceed 20,000 or 30,000 and they appeared to be confined almost wholly to the very lowest of the operative classes, though about as many more were drawn together from curiosity to witness their proceedings, as well as to share the amusement of hurdle-races and other sports which took place at the same time on the moor. The various processions from Manchester, Hyde, Ashton, Bury, Rochdale, Middleton, Bolton, and other places arrived upon the ground about eleven o'clock, preceded by bands of music and banners bearing inscriptions and mottos descriptive of their principles and views, as "Universal suffrage, Annual par-

liaments, Vote by ballot, Abolition of white slavery;" "We've set our lives upon a cast, and will stand the hazard of the die;" "Universal suffrage or death;" "United we stand, divided we fall;" "We know our rights, and we will have them;" "The rights of man;" "Tyrants tremble, for the people are awake;" "Reason no longer with tyrants: man has but once to die;" "No corn laws," &c. &c. The only novelty worth noticing was the presence of several *female* political associations. It was observed by an eye-witness that the appearance of some of the fair sex who figured on this occasion, both as to person and apparel, furnished a stronger argument than any adduced by their orators, of the necessity of adopting immediate legislative enactments for improving the condition of the mass of the people. Dr. Fletcher, of Bury, having taken the chair, proceeded to state the purposes for which they had assembled, which were contained in the following propositions, which he read to the meeting:—

"Whether they will be prepared, at the request of the convention, to withdraw all sums of money they may, individually or collectively, have placed in savings' banks, or in the hands of any persons hostile to their just rights?"

"Whether, at the same request, they will be prepared immediately to convert all their paper money into gold and silver?"

"Whether, if the convention shall determine that a sacred month will be necessary to prepare the millions to secure the charter of their political salvation, they will firmly resolve to abstain from their labours during that period, as well as from the use of all intoxicating drink?"

"Whether, according to their old constitutional right—a right which modern legislators would fain annihilate—they have prepared themselves with the arms of freedom, to defend the laws and constitutional privileges of their ancestors bequeathed to them?"

"Whether they will provide themselves with chartist candidates so as to be prepared to propose them for their representatives at the next general election; and if returned by show of hands, such candidates to consider themselves veritable representatives of the people, to meet in London, at a time hereafter to be determined on?"

"Whether they will resolve to deal exclusively with Chartists; and in all cases of persecution rally round and protect all those who may suffer in their righteous cause?"

In submitting these propositions he observed that the people had 18,000,000*l.* in the savings' banks, and if they would only withdraw from them at the present crisis 1,000,000*l.* of it, this would be sufficient to achieve their liberties; and, in reference to the proposition to take up arms, he said that Lord J. Russell, though not a legislator on most points, had at least proved himself one on one point, when he said the people had a right to take up arms:

Mr. Feargus O'Connor and other less distinguished agitators then addressed the meeting. We shall give extracts from a few of their speeches as a specimen of the tone generally adopted. Mr. O'Connor said, "he was here to-day because the magistrates had said that this was an illegal meeting; he was here because the proclamation of the queen had said it was an unconstitutional meeting; he was

here in his own person, as a barrister, to prove that at all events he looked upon it as both a legal and a constitutional meeting, and that if it was neither, the numbers justified the course."—"Lord John Russell had said these meetings were legal: that no danger need be apprehended from them to the public peace, because, he said, arms were not being purchased by the people."—"A proclamation should only be resorted to in the last extremity, when there was no opportunity of strengthening the law; and why, on such anticipation, did parliament adjourn over at this period an unusual length of time? They could not apprehend any danger, or else they were a pack of poltroon cowards that had left their post and thrown the shame upon our young queen. Never did the queen look so lovely in his eyes as upon the present occasion, because when surrounded by two sets of vagabond factions, and the Tories were making their arrangements for substituting a shooting government for a cowardly government, she dismissed them."—"He had good authority for asserting that all the Hanoverian clubs in London were at work to know how they could dispose of our young queen, and to substitute a bloody Cumberland in her place; but if that fellow were upon the throne, Mr. O'Connor would put on a red coat at once. If they did that, he should have no hesitation in advising the people to revolt—it would be their duty—against the factions, and in favour of our constitutional monarchy."—The speaker then went on to attack the middle classes and the manufacturers in his customary style.

Mr. Rushton of Manchester would tell the meeting and their

leaders, that that should be the last meeting which would be assembled, until they were prepared to congratulate them on the recovery of those rights which had so long been withheld from them. "He believed that the time would soon be past when they would be able to meet as legally and peaceably as they had done, and the day would come, when the Government and aristocracy would compel them to meet in a manner which, to them would result in their eternal ruin, and the eternal happiness of the people. He was happy to see so many present, and to his mind it was a clear proof that the working classes were up to the mark." "A resolution, which called upon government to supply them with arms had been moved, and they had adopted this resolution, in consequence of Lord John Russell offering to supply a certain portion of the people with arms for the protection of life or property. If the chairman could not obtain arms for them, he would tell them what to do. Let them go to the constables in their respective neighbourhoods and demand arms, and to swear allegiance to the Queen. Let them, in imitation of the Queen, who said that she would rather sink to the level of a subject, determine to come down to the lowest state of degradation, rather than submit to the poor-law union. Let them swear at the altar of their God, that rather than suffer the wives of their bosoms to be torn from them, they would suffer death first." The most violent part of this harangue was received with great applause.

Mr. T. Bird, of Bury, said, that the late Mr. Cobbett had told the people in the House of Commons, that if they would go to the Bank

of England for their money, the Whigs would give up the Coercion Bill; and he could tell the people of England if they would now go to the savings-banks they would get the charter.

Several other resolutions of a similar character to that alluded to were adopted, and the propositions, as read by the chairman in his opening speech, were then severally put to the vote by him, and all answered by the meeting in the affirmative, after which the assembly broke up without disturbance.

26. MURDER AT WOOLWICH.—Sergeant-major Sheppard, of the second battalion of the royal foot artillery, stationed at Woolwich, was murdered by George Willis, a private, under his command. Willis, who was a slovenly soldier, had been reprimanded by Sheppard for disorderly appearance on parade; and on Sunday, being much exasperated, he loaded his rifle, and shot Sheppard in the back, before the regiment. He allowed himself to be seized without the least resistance; saying—"Damn it, I've done for him, I've shot him." All the facts were stated to a coroner's jury, and the prisoner was committed for trial on the charge of "wilful murder." He was under thirty years of age. Sheppard was nearly fifty, and left a large family.

Willis was tried for the murder at the ensuing Maidstone assizes, and being found guilty, was executed at that town on the 4th of July following. He maintained to the last a sullen and dogged demeanour, neither attempting to deny or excuse his crime.

31. STOCKDALE v. HANSARD.—In the Court of Queen's Bench, Lord Denman gave judgment in the case of Stockdale v. Hansard.

His lordship's decision, important in itself, became still more so, from the events to which it gave rise. The plaintiff, Stockdale, had brought an action for a defamatory libel, against Messrs. Hansard, printers to the House of Commons for the publication of a report of the commissioners of prisons, in which certain strictures were made on some obscene works, alleged to be published by the defendant. To the pleas in the declaration generally, the defendant pleaded the authority of the House of Commons. Lord Denman said, that the supremacy of parliament, on which the claim for exemption from responsibility was made to rest, might have been recognized as a valid authority; but the report complained of was made, not by the sanction of the three co-ordinate powers acting harmoniously together, but by the House of Commons singly—an assumption of authority abhorrent to the constitution of England. Parliament was said to be supreme: it followed that neither estate acting singly is supreme. His lordship then went into the history of the privileges assumed by the House of Commons, and adduced various authorities to show that no assumption of privilege on the part of the House collectively, or of individual members, could warrant the right of any publisher to disseminate speeches or reports prejudicial to individuals, without making him amenable to law. The pleadings in this case will be found in the appendix. On the 13th of the month following, a jury was summoned in the Sheriff's Court to assess the damages: and after a charge from the under-sheriff, who told the jury they had no concern with the

question of the House of Commons' privileges, the sum of 100*l.* damages was awarded to Stockdale.

JUNE.

1. EXECUTION IN SOUTH AUSTRALIA.—Two native Australians, Yerr-i-Cha, and Wang-Nucha, condemned in the supreme court, for the murder of two Englishmen, suffered the extreme penalty of the law at Adelaide, on this day. The poor creatures were dreadfully agitated, and displayed every symptom of terror. After the warrant for their execution had been read by the sheriff, they were dragged rather than led upon the scaffold, and placed by the executioner on the drop. They then seemed quite aware of the fate which was overhanging them, and Wang Nucha made violent protestations in his own language, against the sentence. It seemed quite evident, from the remarks and conversation of the other natives, many of whom witnessed the execution, that they were aware the cause of the death of the criminals; and agreed generally in the justice of the sentence; and it may be hoped that the example thus shewn will be of use in protecting the lives of settlers. The whole tribe to which the unfortunate men belonged, appeared to sympathize deeply in their fate, and bewailed it with tears and piteous lamentations.

MURDER AND ARSON.—About twelve o'clock on Monday night the inhabitants of Prince's-street, Leicester-square, were thrown into a state of considerable alarm, in consequence of loud screams of "Fire," which proceeded from the house of Mr. Robert Westwood,

a watch and clockmaker, of No. 35, in the above street; the alarm was, however, greatly increased when it was discovered that Mr. Westwood had been most brutally murdered, and his mangled remains partially consumed by the fire. It appeared that some years since, the house of Mr. Westwood was burglariously entered, and property to a considerable amount stolen, for which offence a person was subsequently executed at the Old Bailey. Since that period Mr. Westwood had slept down stairs, in a room at the back of the shop, with a view to its better security. But Mrs. Westwood, having been ill, was at the time in question sleeping up stairs. On Monday night, about eleven o'clock, Mrs. Westwood retired to bed, leaving the deceased in the parlour; about which time M. Gerard, a French gentleman, who occupied apartments in the house, returned home, and was let in by the female servant, who, as usual, fastened the door for the night, and then went up stairs to bed. Some time after she was in bed, Mrs. Westwood fancied she heard a sort of scuffling in the passage. In a minute afterwards she heard a loud groaning, which greatly alarmed her, and her fright was increased by hearing the street-door slam to. Mrs. Westwood instantly called the servant, who speedily ran down stairs, and on entering the parlour was almost suffocated by a dense smoke, but did not discover any fire. She then proceeded to the street-door, on opening which she saw a gentleman pass by, and she requested him to call out "Fire." On the alarm being given, several engines shortly arrived, and speedily succeeded in extinguishing the fire.

On entering the room in which Mr. Westwood usually slept, the bed was discovered to be on fire, and the unfortunate man himself lying on the floor partly burnt, and his throat dreadfully cut in two or three places. A most severe contused wound was also discovered on the right temple immediately over the eye, evidently inflicted by some heavy blunt instrument. On searching the house, an iron window-weight, measuring in length about twelve or fourteen inches, and weighing between five and six pounds, was discovered in the passage leading to the street-door. On examining this a few hairs were discovered on one of its ends, and there seems to be not the slightest doubt but the wound over the eye was inflicted by this instrument, which must have been taken into the house by the murderer, as no person in the house had ever seen it before. On further examination, a table knife was found in a drawer in a sideboard in the parlour, the blade of which was much stained with blood, and which bore evident marks of having been wiped.

The servant stated that when she admitted M. Gerard, the lodger, she secured the door in the usual manner, and that when she went to give the alarm it was unfastened and merely upon the latch. The only persons in the house at the time were the deceased, Mrs. Westwood, the servant, and M. Gerard.

The deceased when found had the whole of his clothes on, and was in the same state as when last seen alive by his family; his clothes were much burnt on the left side, as was his head. The unfortunate man was in the fifty-

fifth year of his age. There was an immense number of watches in the shop, from which all the most valuable had been selected, and taken from different cases; from one drawer had been taken a box of sovereigns, and from another a quantity of silver. Some of the tool drawers were also opened and their contents emptied on the floor.

From these circumstances it was presumed that the murderer was well acquainted with the premises. Not the slightest clue to his discovery, however, was obtained, either at the examination which took place at the coroners inquest, or up to the end of the year. The coroner's jury returned a verdict of "Wilful murder against some person or persons unknown."

8. *QUEEN v. FROST*.—We insert the following as an additional illustration of the character and demeanour of an individual who has since become unhappily notorious. In the court of Queen's Bench the Attorney-general moved for leave to file a criminal information against John Frost and John Partridge for publishing a placard containing a libel reflecting on Mr. Thomas Phillips, jun., mayor of the borough of Newport, Monmouthshire, and a magistrate of that county. From the affidavits it would appear that there had been serious disturbances at Newport, in which persons calling themselves Chartists were concerned. Several of the ringleaders were taken into custody and brought before the magistrates, among whom was Mr. Phillips, and other measures were adopted to prevent other such meetings. Upon these proceedings taking place a placard was posted up which was signed by Frost, and of which Partridge

was the printer. The parts of the placard to which he wished to call attention were these:—"One of the most noisy brawlers for reform was Thomas Phillips, the mayor of Monmouth, and this insolent man, sprung from what he is pleased to call the lower orders, is now the most bitter persecutor of those who advocate a real reform of the House of Commons." In another part Frost said, "On Saturday, when they were brought before this mayor, I informed him that I was ready to prove that they were innocent, and told him that he had condemned them without hearing evidence in their favour. I said that their witnesses were refused admission into the room when the examination was going on. He in a most impudent manner refused to examine them; he required bail to a large amount for their appearance at the quarter sessions, and also to be of good behaviour, and if bail had not been procured, these innocent men would have been sent to gaol." The most objectionable part of the placard, however, was the following:—"The men of the north of England use language of this sort. We say we seek for justice for ourselves and our families; in doing so we keep within the limits of the law; if others exceed the limits, if our leading men be imprisoned, no violence having been committed, why then we should consider that a coal pit is quite as safe a place for a tyrannical persecutor as a gaol for an innocent Chartist." He would submit that this part contained a direct incentive to violence, because there was more than a suggestion to throw the magistrates into a coal pit, of which there were many in that part of the country. The placard then proceeded:—"The

Moonsmouth-magistrates threaten to take away licenses from public-houses if Chartist meetings be held in those houses. Here is a pretty security for the public: threaten to deprive a man of his livelihood if he is in favour of reform in the House of Commons! Countrymen, this is a state of slavery which cannot be longer borne; be firm, be peaceable, and our righteous cause will succeed." This placard was signed by Frost. The original had been seen in the possession of Partridge, the manuscript was in the handwriting of Frost, and it was sworn that Partridge was the printer. The rule was granted.

7. MAIL ROBBERY.—At the Worship-street office, information was given of a daring attempt to rob the mail between Enfield and Edmonton. Mr. Simpson, employed by the metropolis road commissioners, was in his gig on the road, on Friday evening, when he saw the postboy, carrying the mail, struggling with two men. His servant immediately ran to the boy's assistance; but two other men joined the robbers, and beat Mr. Simpson's servant with heavy whips. A gentleman coming up on horseback just then, Mr. Simpson went with him to the rescue; when the robbers decamped. Two of them, however, were secured. Warrants were issued for the apprehension of the others, who were known. The postboy was severely beaten, and much hurt.

9. BURGLARS APPREHENDED.—The den of a gang of robbers, in New-street, Tyer-street, Vauxhall, was broken open by the police, and several of the gang were apprehended. A considerable amount of property was found in the premises, and one of the men had sixty-eight sovereigns in his

pocket: two trunks full of skeleton-keys and various other implements used by house-breakers, a dark lantern, a pistol, and several percussion-caps were found.

10. ATTEMPT TO ENTER THE PALACE.—An attempt was made by a madman, to force his way into Buckingham palace. About nine o'clock in the evening, one of the soldiers on guard in that part of the garden immediately beneath the terrace of the north wing of the palace, saw a man ascending the steps of the terrace; who, when challenged, said "It's all right." The soldier, supposing he was employed in the garden or the kitchen, let him pass on. He then went towards the glass door, leading to the interior of the palace; when one of the female servants screamed out to the soldier to seize him. He was immediately apprehended, and given over to the custody of the police; when he began to curse the queen and apply vile language to her majesty—declaring that he intended to have killed her, for that no protestant ought to sit on the throne of England. It was with difficulty that the policemen could hold him, for he was a very muscular man, and quite a maniac. After a private examination at Bow-street, by Sir Frederick Roe, he was sent to Tothill Fields, Bridewell.

11. INQUEST.—An inquest was held at the London Hospital, on the corpse of William Gould, a groom in the employ of Mr. Smith, distiller, in the Mile-end road, who died in the hospital the day before. Gould was left standing near the outer gate of the premises on Thursday night, the 30th of May, by Mr. Smith's coachman; who, returning in a few minutes,

found him lying on the ground, insensible from the effects of a severe wound on the head, which bled profusely. Gould was quite sober, and was a man of temperate habits. He was taken to the London hospital; but next day, being rather better, was allowed to go home. He soon, however, returned; was seized with erysipelas in the head, and died. He said he had been suddenly attacked by three Irishmen, who, he supposed, mistook him for another person against whom they had a grudge. Nobody heard any scuffle, or saw the attack; though Gould was knocked down in a public street, and immediately under a gas-light. The jury directed by the coroner, recorded a special verdict, stating the facts as far as they were known.

13. DUEL BETWEEN LORD LONDONDERRY AND MR. H. GRATTAN, M. P.—In consequence of some expressions which were made use of by lord Londonderry in the House of Peers, in reference to a speech reported to have been made by Mr. H. Grattan at a public meeting in Dublin, Mr. Grattan addressed a letter of enquiry to lord Londonderry, to which the following answer was returned—

"Holderness-house, June 12.

"Lord Londonderry presents his compliments to Mr. H. Grattan. Lord Londonderry read in his place in the House of Lords an extract from the reports of the newspapers of a speech of Mr. O'Connell's, stated to have been made at a public meeting in Dublin, to address the queen, in which accusations were made against that party to which lord Londonderry is proud to belong. The paragraph lord Londonderry cited is as follows (Mr. Grattan will see this from the page of the *Morning Post* annexed).—

"Mr. Grattan had said that her majesty's life would not be safe if the Tories came into power; and he (Mr. O'Connell) declared solemnly he was convinced she would not live six months if that event took place."

"Also, 'He knew the Tory party were capable of every human baseness and ferocity.'

"Lord Londonderry at once admits, if these sentiments are accurately reported, accusing the Tory party of an intention of murdering the queen, he considers them as base and infamous. It was to such accusations lord Londonderry's epithets applied."

"To H. Grattan, Esq., M.P.,

21, Manchester-buildings.

In a second letter Mr. Grattan begged to say, that he was not accountable for any opinion or expression in Mr. O'Connell's speeches. As he, Mr. Grattan, had not, in any speech of his, alluded in any way to lord Londonderry, he requested that lord Londonderry would distinctly say whether he intended that the words "base" and "infamous" should apply to him.

Lord Londonderry in his answer to this and a following letter of Mr. Grattan's, contented himself with observing that, unwilling as he should be to affix upon any individual the responsibility of having uttered such sentiments as those reported in the public accounts of the meeting to which he alluded, he must adhere to the opinion he had already expressed, as applying to any individual who was prepared to avow such language. The epithets complained of were applied, not to individuals, but to injurious accusations reported to have been publicly uttered against a political body;

and, since there was no disavowal on Mr. H. Grattan's part of the language and sentiments reported to have been used, lord Londonderry regretted he could not recede from the opinions he had already expressed.

In consequence of this correspondence a meeting was arranged, which took place on Thursday, the 13th inst., on Wimbledon-common, at three o'clock. On the signal being given, lord Londonderry received Mr. Grattan's fire, and then fired in the air. Mr. Bodkin, on the part of Mr. Grattan, then expressed himself perfectly satisfied, and the affair terminated.

17. **LARKINS v. LEWIS.**—The *Bombay Press* of this date contains a report of the trial of an action for damages, brought by Mr. Larkins against Mr. F. C. Lewis, for criminal conversation with Mrs. Larkins. The guilty parties had eloped from Bombay to Bushire in the same vessel, and lived together as man and wife. The adultery being undisputed, the interest of the trial lay in the circumstances which had tempted the wife to abandon her husband and children. Mrs. Larkins, an English woman, and the daughter of captain Andrews, was young, beautiful, and accomplished; she attracted much attention, and led a gayer life than her husband, who professed to be "serious," approved of. This seems to have been the only cause of quarrel. Mr. Lewis was a portrait-painter, and employed in painting Mrs. Larkins. This is the statement of the lady's maid—"I left England with Mrs. Larkins, and from her arrival in Bombay until she left it I lived with her constantly. I am aware upon what terms she and Mr. Larkins were, as I had frequent opportunities of

VOL. LXXXI

observing. Almost immediately after Mrs. Larkins's return from England, Mr. Larkins behaved with great unkindness to her, although I heard Mrs. Larkins promise to forego all gaiety in the way he wished for. His unkindness consisted in the tyranny he endeavoured to exercise over the mind of his wife, forbidding her to read any books but those he should select or approve—religious books. Mrs. Larkins did not read novels; she wished to read other literary works; but Mr. Larkins considered all knowledge except that derived from religious books as superfluous. Mrs. Larkins did not agree with Mr. Larkins on those points. This caused disagreements and altercations between them, and I was present at several of their quarrels. On such occasions, Mrs. Larkins would so demean herself as to prevent a recurrence of them; but Mr. Larkins would insist on Mrs. Larkins giving her opinion. She did so; which had a tendency to create further discussions; which generally terminated by Mrs. Larkins crying and leaving the room. Neither party recanted the opinions they had given. On other than religious subjects Mrs. Larkins and her husband agreed, but on religious ones they never did. I remember when Mrs. Larkins had been very poorly all day: she lay on her couch in the dressing-room, and was conversing of her own family, expressing a wish that Mr. Larkins possessed but half the affection for her her brother had. Mr. Larkins observed, that he knew Mrs. Larkins thought him a fool, and that he had heard while she was in England she had said she did not care whether he was dead or alive. Mr. Larkins, when speaking to her on such subjects,

G

expressed himself in a very savage manner. When Mr. and Mrs. Larkins disputed on religious subjects, he wished to make her say, that she wished to die; but Mrs. Larkins ever expressed a wish to live; Mr. Larkins observing that her heart was estranged from God, and that she preferred living in this sinful world to the enjoyments of a future state. For about half an hour Mrs. Larkins was in hysterics after she left the room. The discussion was kept up until she left it."

Mrs. Dickinson, wife of colonel Dickinson, thought that Mr. Larkins and his lady lived happily together; and described Mr. Larkins as not particularly austere, though more serious than he once was. "Mr. and Mrs. Larkins resided with me for some time. They did not appear as public professors of religion. Mr. Larkins was not particularly fond of gaiety, but always entered into any thing that was proposed. They certainly lived on terms of happiness together; and Mrs. Larkins was very anxious about the state of Mr. Larkins's health. The last time I saw Mrs. Larkins was at her own house, about a month previous to her leaving Bombay; I dined and spent the evening there, and observed nothing particular in the conduct of either. Mr. Lewis was not there on that evening. Mrs. Larkins, I should say, is an accomplished woman, and I think more so than the generality of ladies: her society was courted, and she was considered an attractive person, and consequently admired. Mrs. Larkins sung very well. Never observed any thing extraordinary on Mr. Larkins's part when she sang. Never observed any rude display of temper on Mr. Larkins's part when gentlemen addressed Mrs.

Larkins. I regretted that I did not see more of them, as formerly."

Mr. George Smith King's evidence showed that Mrs. Larkins and her seducer, Mr. Lewis, were in the habit of taking part in religious meetings. "I had often met Mrs. Larkins when meetings of that nature were held at Mr. Larkins's house. She invariably attended them, and joined in the devotional exercises of the evening; and it struck me she entered into them with pleasure. I know Mr. Lewis; repeatedly met him at Mr. Larkins's house, and was on intimate terms with him. Has met Mr. Lewis at prayer-meetings held at Mr. Farish's and Mr. Larkins's. He was in the constant habit of attending those at the latter person's house. The last meeting held at Mr. Larkins's was on the Saturday before Mr. Lewis and Mrs. Larkins eloped. He was there. The meeting generally assembled at seven and closed about nine. Mr. and Mrs. Larkins and myself sometimes took upon ourselves to expound scripture. The defendant joined in the devotional exercises of that evening. Mr. Larkins's motive in inviting Mr. Lewis to attend these meetings, I understood to be with the view to incite Mrs. Larkins to withdraw herself more from gay society. Mr. Lewis told me the reason why he courted religious society was, that he received more real kindness at their hands than from other portions of the community. I should say that Mr. and Mrs. Larkins lived happily. When visiting there, I generally had dinner, and remained during the evening. My visits were not so frequent after Mr. Lewis went to reside at Mr. Larkins's. Mr. Larkins was not particularly austere with Mrs. Larkins,

and I should add that Mr. Larkins was a very fond and indulgent husband. I was invited to dine at Mr. Larkins's the day Mr. Lewis and Mrs. Larkins eloped. I arrived at Mr. Larkins's house about six o'clock. On entering the dining-room, Mr. Larkins said, 'King, they're gone.' Mr. Larkins was extremely excited, and I then thought he had lost his reason. I remained there the whole of the night at Mr. Larkins's request, and stayed there for a fortnight. During that time, most of his conversation was about his wife. Mr. Larkins was very ill for the first three or four days after the occurrence."

The rev. George Candy said, "I have been on intimate terms with Mr. and Mrs. Larkins since December 1837. I generally attended a Saturday evening meeting at their house, and I once spent a week there. I had sufficient opportunities of judging that they lived happily together. Mr. Larkins appeared to be a kind and indulgent husband. I never saw any thing to the contrary. There did not appear to me that any kind of restraint was placed on Mrs. Larkins by her husband: she was ever cheerful. I have been frequently present at devotional exercises in their company, and the part she took in them was not that of a person labouring under any restraint. In fact, Mrs. Larkins always took part in religious conversations."

Other witnesses gave similar testimony. Letters from Mrs. Larkins to Mr. Lewis were read: they were written in a very tender strain. She entreated him to hasten their departure from the "inhospitable and never-to-be endured residence of her husband."

The jury found a verdict for the plaintiff, with 2,000 rupees damages: the damages had been laid at 50,000.

20. DREADFUL THUNDERSTORMS AND LOSS OF LIFE.—The city of Worcester and its neighbourhood were visited about this time by several severe thunderstorms. The first commenced about half-past one o'clock on the 20th, and lasted two hours. At its height the rain fell in torrents, accompanied with showers of hailstones of immense size, which laid large tracts of grass and did very considerable damage to the crops. At Stourbridge the quantity of rain which fell in the time was immense: all the streets presented the appearance of a rapid river, several walls were washed down, and every green-house and hot-house in the neighbourhood suffered. At Powick, the electric fluid, accompanied by an appalling explosion, struck the church, and cracked and damaged the walls. A few days after, Mr. Mitton, of the old Housefarm, near Worcester, lost his life under the following circumstances:—His son, a child about seven years of age, had gone into the field with a person who was fetching the cows to be milked, when another violent storm coming on, Mr. Mitton remarked to his wife that the child would get wet, and immediately put a halter upon the pony and rode off to bring back the child, but in passing through the second field from his house, both he and the pony were struck dead by the electric fluid.

— ACCIDENT ON THE THAMES.—In consequence of a violent gale of wind from the N. E. causing an unusual swell of the river at the time the tide was coming up, several melancholy accidents took place,

and no less than seven individuals lost their lives. Shortly after eleven o'clock on Thursday night, loud cries for help were heard by a waterman at Chelsea-reach, who immediately put off in a boat, and on rowing into the centre of the stream below Battersea-bridge, found a wherry bottom upwards, and two persons clinging to it, whom they instantly conveyed on shore. These had not been long rescued before fresh cries of "help" were heard from the direction of the Red-house, and a gentleman was seen struggling and buffeting with the stream, who ultimately got on shore on the Surrey side. When sufficiently recovered, he stated that his name was Latham, and that he had been up the river in the early part of the evening in a wherry with Mr. Henry Rush, son of the Rev. John Rush, vicar of Chelsea old church, and Mr. R. W. Fry, of the Chancery Registry-office, both of whom he had every reason to believe were drowned. A number of men were in consequence employed in dragging that portion of the river, and Mr. Rush's body, together with that of a gentleman named Graham, belonging to the Ordnance-office, and that of a Mr. Lambe, who had also been drowned, were picked up. Three other gentlemen in the same boat with Mr. Lambe also perished.

— **TRIAL OF MACKENZIE—AMERICA.**—The New York papers of this date report, at considerable length, the trial of the notorious William L. Mackenzie, at Canandaigua, for the alleged violation of the neutrality of the United States, in the matter of setting on foot, at Buffalo, a military expedition against the English possessions in Canada, better known as the Navy Island expedition. The trial lasted

during the whole of the first day and part of the second. Mackenzie defended himself: his address to the jury occupied not less than eight hours. Judge Thompson charged the jury, who, after a deliberation of half an hour, returned a verdict of *Guilty*. The prisoner heard the verdict, which, it is said, was contrary to his expectation, without apparent emotion. The court sentenced him to eighteen months imprisonment in Munroe county gaol. Several other persons had been tried for a similar offence, some of whom were found guilty, and others acquitted.

— **EXECUTION IN SYDNEY.**—Late accounts from Sydney mention the execution of seven men, part of a gang who murdered a party of thirty natives—men, women, and children—under circumstances of peculiar atrocity. They had all of them been convicts, and were employed in looking after cattle. In revenge for the loss of some cattle, supposed to have been speared by the natives, they resolved to extirpate all they could find. They fastened the poor creatures together with ropes, and then hacked them to pieces with knives and cutlasses: they afterwards made a fire of the mangled limbs, and burned the bones. The murder, however, was discovered; and after several months had elapsed, (for the crime was committed in June 1838,) seven of the ruffians were seized; and though acquitted by one jury, were found guilty on a second trial, and hanged. Many persons in Sydney, it is said, expressed resentment that Englishmen should be hanged merely for killing "a few black cannibals."

21. **DEATH BY DROWNING.**—Considerable excitement was

created at Rugeley and the neighbourhood, in consequence of the dead body of a female being found at five o'clock in the morning, in the Trent and Mersey canal, at a place called Brindley's-bank, near the aqueduct at Colton, supposed to have been murdered by some part of the crew of one of Pickford's boats, by which she was travelling as a passenger from Preston Brook to London. The unfortunate deceased was about thirty years of age, of small stature, and not of unprepossessing appearance. From letters found in her trunks, it seems that she was married to a person named Collins, residing at No. 10, Edge-ware-road; that she was on her way to join her husband in London. It would seem that she chose the canal conveyance in consequence of the very low state of her funds. From circumstances which transpired at the coroner's inquest, two boatmen, George Thomas and William Ellis, were taken into custody and tried at the ensuing Stafford assizes, on an indictment, charging them with ravishing the unhappy woman, and James Owen, the captain, was likewise tried for aiding and abetting the two former. A second indictment charged them with the murder of the deceased. It was proved by the evidence of several lock-keepers, that the poor woman had complained of the conduct of the prisoners, who she said "were getting drunk, and she was afraid they would meddle with her." Thomas was heard to make use of beastly language to her. She was seen afterward weeping and sharpening a small pocket knife. One of the prisoners cursed her eyes. The prisoner, Thomas, came on board and said, "That they had

got a woman on board who was going to London, and that he'd do for her to-night or burk her."

James Mills, keeper of the Hoo-mill lock, said that he was alarmed about twelve o'clock at night, by the cries of some one in distress. He went to the window and saw three men on the lock-side and a woman on the cabin. She got off the boat and asked for her shoes. They said "She was a passenger and had got a husband, and that she had been in the canal." Her legs were hanging down the cabin, and one of them tried to pull her down, and she said "Don't tempt me; I'll not go in there."

William Harrison deposed, that Ellis had said to him, "D—n the woman, she had a mind to drown herself, never mind her." Owen was there, and said "He did not know what had become of her, he was afraid she had drowned herself. Thomas ravished and murdered her."

Henry Sketchley said that, on the 22d, he heard Thomas say, "that Owen murdered the woman. She cried out, oh! my Collins, my husband, my Collins. I will jump, give me my shoes." Owen said, "You old cow, if you do not jump, I'll push you off."

The depositions of the prisoners were read, inculcating each other to a certain extent; but all saying that they knew nothing about how the deceased came into the canal.

No more evidence was given, and

Mr. Justice Williams directed an acquittal.

Mr. Serjeant Ludlow produced an affidavit of a felon, convicted at the present assizes of bigamy, deposing that Owen had made a confession to him of the entire

transaction; upon which the indictment for murder was postponed till the next assizes,

22. TRIAL FOR LIBEL.—The Court of Common Pleas was engaged for two days in trying an action for libel, between Mr. Charles Ventris Field and Mr. Austin, both medical men, residing in the parish of Rotherhithe. Mr. Field, the plaintiff, had been practising there for seventeen or eighteen years, Mr. Austin, the defendant, was a much younger man, and had only been in practice four years; he had, however, been fortunate enough to obtain the situation of medical officer to the board of guardians superintending the maintenance of the poor in the parish of Rotherhithe. It appeared that in 1838, an anonymous letter had been sent to the poor law commissioners to the effect, that a poor woman of the name of Daly, upon being taken in labour, had not received proper care and attendance from the defendant. An inquiry into the case was instituted before the board of guardians, and the result was, that they considered there was no substantial ground for the complaint, and they expressed themselves satisfied as to the conduct of the defendant. The letter was so spelt as to lead to the inference, that it came from a person in a humble station in life. Mr. Austin, however, charged Mr. Field with being the author of it; and without any communication with the plaintiff, he addressed letters, containing the gravest charges, to each of the board of guardians, and amongst other respectable persons in the neighbourhood, to the clergyman of the parish. This circular was dated from the residence of the defendant, "61, Paradise-street, Rotherhithe," and was signed

by him. It was as follows:—"Oct. 5, 1838. Sir,—You have probably heard that a complaint was made to the poor law commissioners against me, as parochial surgeon, for neglect of duty; but, as I fear that the result of the inquiry into the truth of the charge, and the name of the reporter of it may not be so generally known as the complaint itself, I presume to forward an account of it to you." Here followed an account of the proceedings of the board of guardians and the result of their inquiry, which we have before mentioned.

The letter proceeded in these terms:—"Now, sir, with respect to the individual who has considered himself called on to make this attempt to do me a serious injury in your estimation and that of my fellow-parishioners, of whom, I may say, it is of great consequence to me that I should have the good opinion, you will naturally ask if any act or acts of mine could warrant such treatment? I distinctly answer, No; in fact, my silence in the case of a murderous operation performed by him on a Mrs. Mason, in Staple's-tenna, has been the means of screening him probably from a criminal proceeding—certainly from universal disgust and the opprobrium of every medical man; nor is this a solitary instance of his malpractice. Of his character, I should say that he was shunned and avoided by every medical man as a dangerous, ignorant, presuming fool, and cowardly poltroon. This animal answers to the name of Charles Ventris Field, and he lives in Paradise-row."

Mr. Austin had enclosed one of those letters to Mr. Field himself, with an envelope containing the following terms:—"Oct. 8, 1839. Sir,—In all my transactions I

like to act openly and gentlemanly, and not to do things sneakingly like you. I have, therefore, enclosed the copy of a letter which I have sent to each member of the board of guardians concerning your late handsome treatment of me. Your obedient servant. (Signed) Edward V. Austen."

The publication of the libel, and the sending the copy of it to each member of the board of guardians, was admitted by the defendant; as was also the sending a copy of it to the plaintiff in the envelope above-mentioned.

In justification of it the defendant pleaded; in the first place, that Mr. Field had used expressions respecting the case of Daly, which had induced him to believe that he was the author of the anonymous letter. With respect to the charge, that the plaintiff had performed a "murderous operation;" Mr. Austen alleged that Mr. Field did perform, on a woman named Elizabeth Mason, an operation, in consequence of which she died, and upon which, if a criminal prosecution had followed, he would perhaps have been convicted of felony and manslaughter, and thereupon he would be completely "shunned and avoided by, and have procured the universal disgust and approbrium of every medical man." The next plea had reference to the terms, "Nor is this a solitary instance of his mal-practice;" and it set forth two cases of one woman, and the cases of four other women, all midwifery cases, in which it alleged that the plaintiff had exhibited gross want of skill and attention.

It appeared, however, that the earliest of the cases set forth in the plea was fourteen years ago, in 1825, and with regard to her

the plea was not very likely to be made out, for in 1826 the same poor woman employed the plaintiff again.

The defendant still further justified the terms "cowardly poltroon;" by alleging that the plaintiff had received a personal insult from a medical man named Murdock, which he did not resent.

In behalf of the plaintiff, several eminent practitioners deposed that the plaintiff in their opinion possessed the "average quantity of knowledge." Sir B. Brodie, Dr. Blundell, and Mr. Tyrrell had known him professionally for some years, and conferred with him in cases of obstetric and general surgery, and had not found any deficiency in him.

Mr. R. F. Barry was the plaintiff's assistant for about four years; left him in 1837; plaintiff had a very extensive practice in midwifery. He only remembered being present with the plaintiff at two cases of that nature, and then plaintiff used instruments; they were difficult cases. Remembered Mrs. Mason. In May, 1835, went to her in Mr. Field's absence. Subsequently returned home, and went in the evening with Mr. Field. The operation commonly called "tapping" was performed upon Mrs. Mason. Her abdomen was considerably enlarged. He considered it to be a case of ovarian dropsy; Mrs. Mason said that the plaintiff had relieved her before, and she thought more of his skill than of other persons in the neighbourhood; the operation was performed precisely in the same way as he had since seen it performed at the hospitals; the instrument was inserted a little below the naval; a brother of Mr. Field was present. Afterwards a

person came to the surgery, and spoke of a *post mortem* examination, but whether Mr Field was invited or not he did not know. Mr. Field attended the woman under an order from the parish. When the operation was performed water did not follow the instrument; it was a brown viscid substance; he supposed it to be the contents of the ovarium; about two ounces of that substance were taken from her. There was no difference in the operation, or fluid which followed, from what he had since seen at the hospitals. He had seen four similar cases, in all of which the patients died; and in one of them Mr. Liston, of University College, operated. The fluid in this case very much resembled coffee-grounds.

Sir B. Brodie said, that in ovarian dropsy the fluid was very different in different cases; the colour might resemble coffee-grounds. Tapping should always be resorted to when the patient was in danger of dying from suffocation, and no one could judge of that who did not see the patient. For inserting the instrument some way below the navel was the ordinary place. Dropsy generally proved fatal. He only knew of one instance of recovery, which was the case of a young lady, who was thrown violently from her horse. The fall ruptured the sac, and she recovered. He did not consider the age of the patient any objection to the operation if she were in danger of suffocation. In a large dropsy the patient could not be relieved by taking away less than half a gallon of fluid; two ounces would afford no relief at all. Death would not be likely to ensue from the operation; but if the colon were pierced it would

ultimately, though not immediately. If there were an ovarian cyst, and the patient were punctured very high in the abdomen, the instrument would wound the colon. The operation ought only, as a general thing, to be resorted to when the difficulty of breathing is great.

In these opinions the other medical witnesses concurred.

Mr. Barry having been recalled, said that the difficulty of breathing was the most urgent symptom in Mrs. Mason's case.

In support of the justification set up by the defendant.

The nurse who had attended Mrs. Mason, and one or two of her neighbours, described the symptoms and circumstances of her case. It appeared that the swelling of the abdomen had been gradually increasing for two years prior to her death; and that for the last three weeks the operations of nature had been wholly obstructed. Upon the *post mortem* examination, it seemed evident to the witnesses that the colon had been punctured by the trocha when the operation of tapping was performed.

With respect to the midwifery cases, Mrs. Jane Smith deposed as follows:—In 1826, I was confined of my first child; Mr. Field was sent for at twelve, and came immediately. He examined me, and said he should not be wanted till six in the morning; he was sent for at six o'clock, and came; the pains had then ceased one or two hours; I was gasping for breath; he delivered the child; I felt as if I were being torn to pieces; I could not see whether he used instruments, but the nurse said so; there was a cut over the right eye of the child, as if done by scissors; afterwards I could not stand up

for a month, and then not for five minutes at a time. I could not do anything, or pursue my ordinary domestic employments for three or four years. I repeatedly called for assistance hours before Mr. Field came, but I was told that it was better to leave nature to herself. I must have died if he had not come. The first child lived for seven months. Two out of four of my other children are alive now.

Sarah M'Ivor, a monthly nurse, attended a Mrs. Clockworthy in May, 1838. Mr. Field attended her. Between ten and eleven she sent for him, and he came soon after. The birth took place at half-past eleven on the next morning. Witness received the child from Mr. Field; its head was very much mutilated. There were large incisions on the head and neck. There was a great deal of blood, but it was stopped by the application of brandy and water. The child died at five o'clock. Witness certainly did not see instruments used. This was a long lingering labour. Mrs. Clockworthy did very well. She went to church in three weeks, and always expressed herself exceedingly grateful to Mr. Field. Witness had heard her say that she would send to him again but for the distance to which she had removed.

Mrs. Everist.—Nursed a Mrs. Bright. She had a very good time. When Mr. Field came she was going on well. This was thirteen years ago. Mr. Field was not in the room more than half an hour. He said he had been with a lady who was to give him three guineas, and he wanted to go to her. I said I hoped he would not leave, as the labour was

so near. I saw the plaintiff had a yellow silk handkerchief. I was rather fearful; he sent me out of the room. I returned in three minutes and the child was born. The silk handkerchief was pushed up and bound round his arm; but I never saw anything in it. The cheek of the child was cut as with a patten, and there was a deep cut on the forehead. The wound of the cheek was such as might be made by a lever. The child bled very much. The tip of the ear was cut. The next day Mr. Field called. I told him the child was very much cut. He said he dare say he was, he had scratched him with his thumb-nail, afterwards he said that he did use the instrument when I charged him with it.

The child in question was alive in good health.

William Jefford, a lighterman.—My wife has had eleven children. In 1825 Mr. Field attended her. He has attended her twice. The first child lived six hours, and the next was born dead. I saw the child an hour after it was born. It was cut on the neck, and bled considerably until it died. She had labour pains, on and off, for three weeks. On the second occasion I asked how it was she had such bad times. He said that he did not know, but he did not care about killing 100 such things to save the woman. My wife had two children before Mr. Field attended her, and they both died in the birth.

Mrs. Harriet Edmonds, sister-in-law to Mrs. Jefford, stated that she saw the plaintiff use instruments.

Dr. Ashwell, a physician and lecturer on midwifery at Guy's Hospital. — The position of the

colon would depend on the state of the bowels, and a prudent surgeon would take care to inquire upon that subject before he proceeded to the operation of tapping. A man of moderate attainments, would, in my opinion, be able to distinguish whether the distension of the abdomen resulted from the existence of an ovarian cyst or the state of the bowels. I would never perform the operation of tapping except in cases of emergency, arising from great difficulty of breathing; I think, that with a person of the age of 70, the shock of the operation of wounding the colon might produce death within twenty minutes; but it is a vexed question. Constipation for two or three weeks would not, I think, produce that difficulty of breathing. I think, generally, the skilful use of instruments in midwifery, would not be attended with laceration of the child, but accidentally it may happen. I can't undertake to say that instruments might not have been properly used in these cases.

Several other medical men belonging to the London Hospitals gave a similar opinion. The professional gentlemen residing in the neighbourhood of Rotherhithe, called for the defendant, said, that some of them had called in the plaintiff to assist them in difficult cases, and they could not say that he had been shunned by the medical men of the neighbourhood.

Dr. Murdock, a physician at Bermondsey, had had a personal quarrel with Mr. Field. He thought Mr. Field was considered an ignorant, dangerous man in Bermondsey and Rotherhithe. Mr. Field had calumniated him relative to his professional skill. He did not strike Mr. Field but

put his hand upon him and shook him. He pushed the plaintiff with his knee, and the plaintiff sent a lawyer to him the next day. He (witness) refused to give a written apology, and the proceedings dropped. Mr. Field had told him that he used instruments frequently to save his time.

Waller, the relieving officer, and his daughter proved that the plaintiff had said to them that the defendant had been guilty of gross neglect; that it could be proved, that he was at home when he was denied to the poor woman Daly, and that if the case was not investigated, the commissioners should certainly hear of it, and, without a moment's hesitation, Mr. Austen would be dismissed.

Mr. Justice Vaughan, in summing up the evidence to the jury, said that they were relieved of all trouble about the libel, because the defendant had frankly admitted that he was the author of the defamatory publication on which the action was founded. The only question, therefore, which they would have to determine was that raised by the justification which had been placed on the record.

If those pleas were not substantially borne out by the evidence, they should find a verdict for the plaintiff.

The jury retired for about three quarters of an hour, and then returned a verdict for the plaintiff, Damages, 100*l*.

23. CASE OF APPEAL. — The important appeal from Norwich against the Lord Chancellor's order appointing trustees of the municipal charities, was decided in favour of the existing trustees; thus confirming the present administration of that class of cha-

rities throughout England and Wales. The judges who had been called in were unanimous in their opinion, and Lord Wynford stated his agreement with them. Nevertheless, the noble and learned Baron thought fit, when the Lord Chancellor moved to dismiss the appeal with costs, to move an amendment, saving the appellants from payment of costs, and throwing them on the Norwich charities. The Lord Chancellor reserved the final decision on that point for Lord Brougham's presence, who had attended the hearing.

24. THE GOLD DUST ROBBERY. —This morning having been appointed for the trial of the parties charged as principals and accessories in the above extensive robbery, the Central Criminal court was crowded by persons chiefly of the Jewish persuasion who appeared extremely anxious to witness the proceedings.

Lewin Caspar (clerk), aged 24, Ellis Caspar, his father (described as a watchmaker), aged 55, Emanuel Moses, *alias* Money Moses (a licensed victualler), aged 56, and his daughter, Alice Abrahams, aged 33, were placed at the bar, the two first named prisoners charged with stealing 1cwt. of gold dust, value 4,600*l.*, the property of James Hartley and Co., and the two last prisoners were charged with feloniously receiving the same, well knowing it to have been stolen. The prisoners severally pleaded not guilty.

The first witness called was Mr. William Carne, who proved that he carried on business at Falmouth, in partnership with his brother. On the 18th of March last, they received a consignment of gold dust from the Brasils, by

her Majesty's Packet the Sea Gull. It arrived in two boxes marked B. C., and numbered 18 and 19, and, according to instructions, they were immediately forwarded by the City of Limerick steam vessel to the Brazilian Company at the Bank of England, London. The boxes in question, according to the manifest, were of the value of 4,640*l.* and the freight came to 649*l.* The manifest was forwarded by post, on the 23rd. of March, to Messrs. James Hartley and Co., 16, John Street, Crutchedfriars, London; to whom the property was in the first instance consigned. The letter produced, signed Carne and Co., and dated Falmouth, March 23rd, 1839, was a forgery in all its parts; as was also the other letter produced, purporting to be an order for the delivery of the boxes to William Marsh, Esq., on order.

John Moppett, captain of the City of Limerick steam vessel, proved that he delivered the two boxes in question at the office of Messrs. Hartley and Co. at about 10 o'clock on the morning of Monday, March 25th., in the presence of two clerks, named Bristow and Felton, who belonged to the office, and who took charge of them.

Henry Moss, who was charged in the first instance, as a principal in the robbery, and was subsequently admitted as a witness for the Crown, was then called forward and sworn. He stated that he was of the Jewish persuasion, and before this matter happened, he was residing in Newstreet, Mile-end-road. He had known the elder Caspar for the last sixteen years. He was also acquainted with his son, Lewin Caspar. The witness then stated, that in the month of October last,

he met the elder Caspar by appointment, and they went together to the Jewish synagogue, where they met Levin Caspar. They had some conversation after they left the synagogue, and then Ellis Caspar told him that he wanted him to do him a favour. Witness described several subsequent interviews which he had with both the Caspars, in the course of which the younger prisoner told him that the business he wanted him for was, to bring a letter which his father would give him to the office at John-street, Crutchedfriars, and he (Lewin) would give him a box which he was to take to his father, adding, that he would meet him at some future time and make him a handsome recompence. By desire of the younger Caspar, who wished to see his handwriting, witness wrote down his name and address, and Lewin Caspar said that it would do. Lewin Caspar then gave him the forms of two letters, and told him to copy them, and he also gave him another letter, and told him to imitate the writing as closely as he could. This took place as far back as November, 1838, and between that time and the 24th of March, 1839, witness did not see the elder Caspar. On the day last mentioned, he met both the Caspars in Turner-street, Commercial-road, and it was arranged that they should meet next morning in Mark-lane, and that Ellis Caspar was to give witness a letter, which he was to take to Lewin Caspar at the office in John-street. He met both Caspars next morning according to appointment. Lewin Caspar did not remain, but the father handed him a folded letter and a carpet bag, telling him to go to Messrs. Hartley's office, and deliver the

letter to Lewin, who would give him something which he was to put into the carpet bag, and he was then to meet him (Ellis Caspar) at the Cross Keys, Wood-street, Cheapside. The witness here described minutely the way in which he obtained possession of the two boxes of gold dust, by the connivance of the younger Caspar, upon whose order they were delivered to him. He put them in a cab, and drove to the Cross Keys Inn, Wood Street, Cheapside, where he expected to find the elder Caspar, but he was not there. The witness then at considerable length, detailed the fact of his having taken the boxes to his house at New-street, London Hospital—his subsequent interview with the elder Caspar, at whose suggestion the outer boxes which contained the property were burnt to destroy the identity—his (witness's) removal to a lodging in Mansell-street, by the desire of Caspar senior, and the alarm manifested by the latter, lest the officer should trace the property. Two parcels containing the gold dust were subsequently removed to a house in Oxendon-street, Haymarket, belonging to a person named Davis, who was father to witness's wife, and witness remained concealed in an upper room of the house, where he remained until the property was conveyed away in parcels by Davis and the prisoner, Mrs. Abrahams. Witness subsequently understood from Davis, that the whole of the gold dust had been sold for 2,000*l.* and he observed to Mrs. Abrahams that it was too little money for so much gold. The witness went on to state that he went to Peckham, where he remained concealed for a fortnight, and he was frequently

visited there both by Davis and Mrs. Abrahams. He subsequently went to the house of a Mr. George Robinson, clerk to Mr. Yardley, an attorney in the neighbourhood of Hatton-garden, where he met Mrs. Abrahams on two occasions. He made some disclosures to Robinson, having previously had some communication with the prosecutors upon the subject of the robbery. Davis had previously given him 15 bank notes, which were now in the hands of Roe the officer, as was also an I O U for 1,807*l.*, signed H. S. but without a date.

The witness, whose examination in chief occupied nearly four hours, was then cross-examined in succession by Mr. Serjeant Bompas, Mr. Phillips, and Mr. Adolphus, who failed, however, to shake his main evidence. Moss, from his own showing, appears to have been made the dupe and victim in the matter. He declared solemnly that all he had received from the produce of the robbery was a single sovereign, and this he had to pay for his lodging while out of the way. He further stated that the 140*l.* note and the I O U he had not in his possession more than ten minutes before he delivered them to Roe, the officer, they having been handed to him for the purpose by Mrs. Abrahams. To explain this, it is necessary here to mention that after the officers had traced the property into the hands of Moss, and were in close pursuit of him, overtures were made to them to surrender him (Moss), on certain conditions, as a witness, so as to ensure the conviction of the Caspers. This, however, would not be listened to unless the receiver was also given up; and finding these terms would not be

accepted of, the parties next proposed to deliver up the name of the receiver of the gold, and, further, that Moss should come forward as an evidence against him; that he should deliver over to the officers 140*l.* in bank notes, together with an I O U for 1800*l.*, which, with a few pounds in addition, they declared was all that had been received from Solomons for the whole of the gold; and that Mrs. Abrahams would confirm this statement, so as to ensure the conviction of Solomons. The statements of both Moss and Mrs. Abrahams were so ingeniously drawn up as to lead their concoctors to conceive that they would not only deceive the magistrates and all those engaged for the prosecution, but to suppose that the parties accused would be sent for trial and that an acquittal must have followed. Solomons, in the interim, was taken into custody, and Moss gave himself up, handed over the 140*l.* and the I O U to Roe, the officer, and Mrs. Abrahams was ready to swear that both these, together with 33*l.* in addition, was all that had been received from Solomons for the whole of the gold. The officers, however, in the course of their inquiry discovered that the statements of both Moss and Mrs. Abrahams were, for the greater part of them, untrue; that instead of 2000*l.*, including the I O U for 1800*l.*, which the latter represented was the whole of what she had received, she had been actually paid 1,443*l.* in cash and bank notes, exclusive of the I O U. They also discovered that her father, Money Moses, was deeply implicated in the transaction, and the officers, therefore, took both father and daughter into custody, and they were treated as principals in the

robbery. In order to ensure the conviction of the other parties accused, the prosecutors found it absolutely necessary to admit Moss and Solomons as witnesses.

Mr. James Hartley, the prosecutor, was next called.—He stated that he was a partner in the firm trading under the name of James Hartley and Co., and resided at present at No. 16, John-street, Crutched-friars. The firm had a vessel called "The City of Limerick" trading between Dublin and London, and it, as well as three other vessels, was in the habit of calling at Falmouth, during their voyage to and from one place to the other. The Messrs. Carne, merchants at Falmouth, were correspondents of theirs, and in the habit of shipping goods by their vessels. The wharf business of the company was done at the Dublin steam-wharf, Irongate-stairs, but the general business was done at their offices, 16, John-street, Crutched-friars. The prisoner Lewin Caspar was in the service of the company as general superintendent of the business at a salary of 150*l.* per annum, and in the month of February last he made an application to witness to have that salary increased. This, however, he (Mr. Hartley) objected to, and told him, on his making the last application, he would be glad if he could better himself elsewhere, and they parted with the understanding that the prisoner was to leave shortly afterwards. On the 25th of March last Mr. Hartley was in Dublin, and on being made acquainted with the robbery and his severe loss, he left there, and arrived in London on the evening of Thursday the 28th. The manifest he produced would show the goods consigned,

and their destination. It was dated Falmouth, the 22nd of March, 1839, and contained the following entry:—"Two boxes of gold dust, value 4,640*l.*, consigned to the Brazilian Company, Bank of England, marked B. C. 18 and 19." On the fly-leaf of this manifest a letter was written by the Messrs. Carne, and this came into the hands of the prisoner Caspar, jun. In the due course of business, one of the bills of lading would be sent by post to the parties to whom the goods were signed, the other kept in the ship's box, and a manifest also forwarded by post to the owners or agents for the vessel. It was the duty of Caspar, jun. to see that the goods specified in the manifest were properly delivered to the parties to whom they were consigned. The letter witness produced, dated Falmouth, the 8th of October, 1838, had been forwarded to his office by post. It was from the firm of Carne and Co., and addressed to "James Hartley and Co. 16, John-street, Crutched-friars;" he had found it among others at his office. While in Dublin he had occasion to write to Caspar, and the letter then produced was the one he had forwarded to him through the post. It was dated Dublin, 21st March, 1839, and addressed "Mr. Caspar, 16, John-street, Crutched-friars." The order at the bottom of the letter produced (a forgery, and which purported to have been forwarded from the house of Messrs. Carne at Falmouth,) was in the handwriting of the prisoner Caspar. It was an order to Mr. Bristow, at the wharf, for the delivery of the two boxes of specie to the bearer. The prisoner Lewin Caspar had been in the service of the company for about a year and a half, and up

to the time in question he had not the slightest cause to suspect his honesty.

James Lea, an officer of the police establishment, deposed that on the 25th of March last the prisoner Lewin Caspar came to the office, and, producing two letters, said that a robbery of a very serious character and a very great amount had just been committed at the Dublin steam-wharf, near the Tower. He said that the property consisted of gold dust, or specie, in two boxes, and that he had been to the Mansion-house about it, and that he wanted his (Lea's) assistance. Lea accordingly went with Caspar to the steam-wharf at Irongate stairs to ascertain the exact description of the person who had taken the boxes away, and after making some necessary inquiries of the man at the wharf, proceeded with Caspar to John-street, and on examining two letters there, the one purporting to have been addressed to James Hartley and Co. at that place, and the other to W. Marsh, Esq., on the latter of which the property had been delivered, he perceived that the back or direction had been torn off the latter, and he in consequence asked him how it happened? Caspar replied that he did not know how to account for it, or how it became torn off; and in fact, as he said, he knew nothing about it. He (Caspar) then opened a drawer, from which he took a number of letters from Falmouth with the name of Carne at the bottom, and comparing them with the two he had before described, asked him if the writing was not the same? Lea replied, certainly not; that they were very different; upon which Caspar drew his attention to the signatures of each, and

asked him what he thought of them? After examining them, witness observed that they certainly were alike; upon which the prisoner remarked that it was on the faith of the signature that he had delivered the boxes. He (Lea) again asked Caspar to state the precise circumstances under which he had delivered the property, and he replied that a person had called at the office and presented the letter from Mr. Marsh, but he could not say whether it was Mr. Marsh himself or a person Mr. Marsh had sent; and believing the signature to the letter to be genuine, and that it had come from the Messrs. Carne of Falmouth, he wrote an order at the bottom to Mr. Burton, at the wharf, to have the boxes delivered to the bearer. He (Lea) then asked him what sort of person it was who had produced the letter, and he replied, "A person about my own height, about sixty years of age, with very grey hair and whiskers."—[It may be here remarked that the height of Caspar, jun. was not more than five feet five inches, while that of Moss, to whom the property had actually been delivered, was very nearly six feet; that instead of sixty, he was not more than thirty-six; and that instead of gray, he had raven black hair and whiskers.]—The prisoner at the time further stated that, shortly after he had given the order for the boxes, he thought there was something wrong about it, and he in consequence went to the wharf to ascertain if the property was gone. On reaching the wharf he found that the boxes had not been called for at that time. He then left the wharf, with the intention of going back again, and on his return in about half an hour, he found that during

his absence the person called and took them away in a cab. He (Lea) then left him for the purpose, if possible, of tracing the cab, and on the same evening, at about eight o'clock, he was at the coach-office, Lad-lane, when both the Caspars came there, the younger with a carpet or travelling bag in his hand. Lewin Caspar inquired if the mail was gone, and said it was his intention to proceed to Falmouth that night to make some inquiries on the subject of the robbery. Witness told him that the mail had been gone some time, but that if he proceeded to the railway station, he might overtake it there. Both the Caspars and Lea then got into a coach for the purpose of proceeding to the Southampton railway station at Vauxhall, and, as they were going along, the younger prisoner said that Mr. de Mole and Mr. Allen had ordered bills to be printed offering a reward of 500*l.* for the apprehension of the offenders. He (Lea) expressed a great wish to see Mr. de Mole before the bills were printed, and old Caspar got out of the coach at some place in the neighbourhood of Piccadilly for the purpose of conveying this message to Mr. de Mole. Finding he was too late for the mail, young Caspar returned with him, and, in their way through the city, they called at the St. Paul's coffeehouse, where he (Lea) made particular inquiries respecting some gentlemen who had arrived in town by the Falmouth coach on that morning, and who had stopped there, and one of them answered exactly the description given to him by young Caspar of the person the letter had been delivered by. He saw Caspar, jun. afterwards, and he said he (Lea) could not do better than follow the scent he had got at the St. Paul's

coffeehouse. In a day or two afterwards witness had succeeded in tracing the cabs in which the boxes of gold dust had been conveyed from place to place, and ultimately fixed on the house, No. 12, New-street, as that to which it had been taken; but at that time Moss had removed from there, and on examining the fireplace in the back room he discovered several pieces of half-burnt wood, and also a number of nails of a somewhat peculiar description. Witness was present when both the Caspars were taken into custody, and he himself apprehended Mrs. Moss and Mrs. Levy in Mansell-street. On the 7th of May he (Lea) received five bars of gold from John Deane, at the house of Mr. Solomons, No. 53, Strand.

Mr. Bult, a dealer in bullion in Cheapside, proved that his partner and himself were in the habit of dealing with Solomons, the gold refiner in the Strand, to the extent of between 7,000*l.* and 10,000*l.* per annum. The witness proceeded to state the fact of his having purchased two bars of gold from Solomons on the 2d of April.

The next witness called was Henry Solomons, goldsmith and refiner, at 53, Strand, and 9, Coventry-street, Haymarket, who was brought forward in custody. He stated that on Easter Tuesday last the prisoner, Money Moses, whom he had known for eight or nine years, came to his shop in the Strand, and said he wanted to speak to him in private. As soon as they were alone Moses asked him if he would purchase some gold dust, and after some bargaining he agreed to take thirty ounces, at the rate of 3*l.* each. Moses then said he would send his

daughter Elsey, meaning Mrs. Abrahams, with it in the course of half an hour; but, before leaving, he said to witness, "Now, remember, you don't know me, nor I you." The gold-dust was subsequently brought to witness in the Strand by the prisoner Alice Abrahams, the daughter of Moses. She came five or six times with parcels of the gold-dust, which he (witness) immediately melted down in a crucible, and it was subsequently sold by witness to Messrs. Cook and Johnson, the refiners in Hatton-garden, and to Messrs. Bult, bullion merchants and silversmiths, Cheapside, witness having previously alloyed the gold with some silver and Russian copper coins. The witness stated the several payments he made to Mrs. Abrahams on account of the gold he had so melted, and said that at the close of the account he also gave her an I O U for £1,807. to make up the balance. Witness made a good profit of the business. He, witness, at the time, expressed some fear or intimidation on the subject of receiving the gold, upon which Mrs. Abrahams, laid hold of his arm, and swore a solemn oath in the Hebrew language, to the effect that, as she hoped for futurity, she would not divulge that he had melted it. The last time she came she produced from her pockets the shakings, which John Dean melted for her, nearly five ounces, which amounted to 13*l*. This was paid to her separately, and she requested witness would not tell her father of it, as it was the shaking of the bag, and not entered in the memorandum with the rest. The I O U which witness gave on that occasion was the one produced by Roe the

VOL. LXXXI.

officer, and which had been found on the prisoner Moss. Witness suspected that the gold-dust was stolen before he agreed to purchase it. He was in great agitation at the time the gold-dust was brought to him, and he had subsequently felt great remorse and sorrow for what he had done. The witness was questioned at great length with respect to the transaction, and the fact of his having subsequently given up five bars of gold to the prosecutors when he was admitted to give evidence for the crown.

Isaac and Selim Solomons, sons of Henry Solomons, were subsequently called to corroborate their father's evidence.

John Dean, shopman to Henry Solomons, the last witness, proved that he was present on Easter Monday, when the prisoner Mrs. Abrahams came five or six times to the shop with lumps of gold, which his master, Solomons, put into the crucible and immediately melted down. Mrs. Abrahams was present when the gold was so melted. On the last occasion she shook some small pieces of gold from a bag which she had in her pocket, and witness melted them for her. She then took the gold to Solomons in the front shop, and soon after she came out and gave witness half a sovereign. The witness repeated at some length the statement previously made by his master, Solomons, with respect to the re-melting of the gold into bars, his having alloyed it with silver and copper coins, and the subsequent sale of all the bars except five, which were given up to the prosecutors when Solomons was admitted as a witness for the crown.

The witness, when cross-examined, said that Solomons was in the
H

habit of melting both the inner and outer cases of gold watches. It was safer to melt them down than expose them for sale in the shop. Solomons was in the habit of doing business with Messrs. Bult, the bullion merchants of Cheapside, to the amount of 8,000*l.* or 10,000*l.* per annum. Witness suspected that something was wrong when he saw Mrs. Abrahams come to the shop with gold so many times.

Hands, a police constable, proved that while the prisoners were confined in one of the cells at Lambeth-street-office he overheard a conversation between the younger Caspar and Money Moses, in which the former asked the latter for some money, saying that he would want 40*l.* or 50*l.* for his defence. Moses replied that he would want four or five fifties for his own defence. Young Caspar then said, "If I had the 1,200*l.* or 1,400*l.* you promised me, the thing would have been different." Some more conversation then passed between them which witness could not catch, and then he heard Caspar say—"You are a ——— rogue, and you did not even give me what you got." Moses then said—"I will not give you 5*l.*"

Other witnesses were examined in corroboration of the preceding statement, but their evidence need hardly be given here. The porters who were employed in removing Moss's goods from New-street to Mansell-street deposed to the extreme weight of one of the boxes. "It was so heavy that he could scarcely move it, and it required the joint exertions of himself and the other young man to carry and put it on the truck. Its contents appeared to be of a very solid substance, and did not move or rattle, but seemed to lie quite dead."

"Mrs. Moss, and her sister-in-law, Mrs. Levy, both desired him to be very careful of it, and Mrs. Moss followed the truck as if watching them closely." This box Mrs. Moss affirmed contained nothing but clothes, when questioned by the police officer.

On behalf of the prisoners their counsel in the first place objected to the form of the indictment against them, and further strongly contended that the characters of Moss and Solomons were such as prevented any credit being attached to their evidence. A number of witnesses, chiefly of the Jewish persuasion, gave all the prisoners an excellent character for honesty and general good conduct.

Mr. Justice Littledale summed up the evidence, a proceeding which occupied him not less than eight hours. The jury, after an hour's consultation, gave the following verdicts:—

"We find Lewin Caspar guilty as an accessory before the fact. We find Ellis Caspar guilty as an accessory both before and after the fact. We find Emanuel Moses guilty, and Alice Abrahams also guilty, but we wish to recommend her to mercy, believing that she acted under the advice and influence of her father."

The verdict caused a great sensation in court, which was crowded chiefly by persons of the Jewish persuasion, many of whom had been present during the whole of the trial, which lasted eight days.

Mr. Justice Littledale observed that the verdict just delivered by the jury had disposed of some of the objections urged as to the form in which the prisoners were indicted; but the other objections raised would be submitted to the consideration of all the judges, and

therefore, until their decision was known, the court would not pass sentence upon the prisoners.

No decision was come to on this subject within the course of the present year.

27. CASE OF ASSAULT.—As Mr. John Hall, of Wiggen-hall, Norfolk, was on his road to some land lying at a distance from his house, he chanced to meet his brother-in-law, Mr. Jecks, of St. German's, near Lynn, between whom and him there had been some ill-feeling for a long time past. Mr. Hall, being desirous of doing away with such feeling, accosted Mr. Jecks, and, receiving a rough answer, proceeded on his business; in returning, he again encountered Mr. Jecks, armed with a gun, who approached him, upon which Mr. Hall said, "You don't mean to shoot me, do you?" Mr. Jecks replied, "I do though." Mr. Hall immediately attempted to rush in, but before he could do so the gun was discharged; fortunately, having been slightly parried, and being close to each other, the charge passed on through his clothes, tearing them away from his side, without the slightest injury to his person. Mr. Jecks was soon after apprehended and committed to Norwich Castle to take his trial at the ensuing assizes. Both parties were considered men of respectability and good property.

28. CORONER'S INQUEST.—An investigation, which occupied the greater portion of the day, was entered into before Mr. Wakley, and a jury of tradesmen, at the Plough Tavern, Museum-street, to ascertain the circumstances connected with the death of Joseph Hall, aged eighteen, who died whilst undergoing an operation for the cure of deafness at the house of Dr.

Turnbull, the aurist, of 48, Russell-square, on the morning of the 14th instant.

The circumstances connected with the case created great interest amongst the faculty, and during the proceeding the inquest-room was attended by many of the leading members of the medical profession.

Charles Spadbrow, of Gravesend, a patient of Dr. Turnbull, deposed that he saw the deceased about ten o'clock in the morning of the 14th, at 48, Russell-square. He appeared in good health. There were other patients present at the time. Mr. Lyon, the gentleman who assists Dr. Turnbull, was present to operate. The deceased filled the instrument himself, and discharged the air by turning the cock. (The instrument was here produced, and the witness showed how it was filled. The bottom of the cylinder was held fast between the feet, and the piston worked up and down by the hands until the pump became filled with air.) The operation was repeated four times on deceased, but the tube through which the air passed was removed by Mr. Lyon from the right to the left nostril. On the tube being taken from the deceased's nostril the fourth time, he fell back in the chair, apparently lifeless, and never spoke afterwards. Witness had had the operation performed on himself four times at a sitting; it produced a swimming in the head, and a portion of the air appeared to escape by the mouth, and the rest down the throat.

Several medical men who had attended the *post mortem* examination of the deceased were examined, but they differed in opinion as to the precise manner of his death. They did not think the operator in

the case, at all to blame. The jury returned a verdict of accidental death, with a caution to Dr. Turnbull never again to intrust the instrument of operation in unprofessional hands.

— **COAL-PIT EXPLOSION, AND GREAT LOSS OF LIFE.**—A most dreadful and lamentable explosion, attended with a vast sacrifice of human life, occurred at the St. Hilda's Colliery, South Shields, the property of Messrs. W. and J. Brandling, early in the morning. The first notice of the explosion given at the mouth of the pit, was about a quarter to nine o'clock, when the banksman was alarmed by seeing the smoke from the pit-furnace mixed with fragments of small coals ascending the down-cast shaft.

A short time after men and boys, to the number of about 100, were brought to the mouth of the pit; but the only thing they could tell was, that an explosion had taken place in what is called the west working of the pit. Many of these were nearly exhausted from the effects of the choke-damp, but those who were sufficiently well again, in a short time descended the pit, accompanied by some other men, for the purpose of rescuing the men and boys who were left behind. However, none were found alive, and about eleven o'clock the bodies of the sufferers began to be brought to the bank. Although there were said to be only about sixty persons working in the neighbourhood of the explosion, yet, as there were upwards of 150 men down the pit, the general distress and anxiety was very great. The gallant conduct of the men who went down in search of their comrades was very remarkable. As the

scene of the explosion was nearly two miles from the shaft, and the choke-damp extended to a considerable distance from the point where it occurred, the difficulty of reaching the sufferers, and the danger and intrepidity of those who sought for them were very evident. Amongst them there was a self devotion and courage that would have ennobled men in any rank. Their companions were brought out ill, sick, stupified, and with an uncertainty of recovery; yet it produced no hesitation, no flinching, but at once brave fellows moved into the same situation, to go on with the performance of their melancholy exertions. Altogether sixty lives were lost by this dreadful accident. The scene below in the mine as described by an eye witness was most awful—horses and men lying dead in every direction.

At the inquest on the bodies of the unfortunate sufferers, the jury found their verdict as follows:—"Accidental death, with a special recommendation from the jury, that the practice of working coal-mines with candles be abandoned, and lamps be adopted in their stead, as, from the evidence taken at this inquest, it evidently appears, that the explosion has been caused by the incaution of one of the men going with a lighted candle into what is termed the tenth board of the mine, which had been foul."

29. COURT OF QUEEN'S BENCH. — *Williams v. Panton*. The facts in detail upon which the indictments in this case were founded have already been before our readers, so that it is only necessary very briefly to refer to them.

Mr. Thomas Williams, of Brynbras Castle, Carnarvonshire, had

been indicted for having unlawfully uttered a will and codicils, dated at different times between 1834 and 1837, purporting to be the will and codicils of Mr. Jones Pantou, he, the said Thomas Williams, well knowing the same to have been forged. There were three indictments against Mr. Williams, in two of which his servants, Ann Williams (the present plaintiff) and Ellen Evans, who were the attesting witnesses, were included. The indictments were preferred by Mr. Barton Pantou, whose sister Mr. Williams had married. Mr. Williams was first put on his trial at the Central Criminal Court; the case lasted five days, and ended in the acquittal of Mr. Williams. The other indictments were not proceeded with, and the three then prisoners were discharged. The plaintiff and Ellen Evans were examined on that occasion as witnesses on behalf of Mr. Williams. The present action was brought to recover compensation in damages for the injury the plaintiff had sustained by reason of this prosecution, which, it was alleged, was preferred without probable cause.

After council had been heard on both sides and witnesses examined, in the course of which no new facts appear to have been elicited.

Lord Denman directed the jury that the question here was, whether the defendant had reasonable and probable cause for the course he had pursued towards the plaintiff. Notwithstanding any ground he might have conceived he had for suspecting the conduct of Mr. Thomas Williams, yet they must recollect that the point they had to consider was, whether the plaintiff had reasonable and probable

cause for arresting Ann Williams, the present plaintiff.

The jury gave a verdict for the plaintiff.—Damages 300*l*.

A similar action was brought by the other attesting witness, Ellen Evans, in which case, damages to the amount of 20*l*. only, were given.

JULY.

1. DREADFUL ACCIDENT.—Between one and two o'clock in the morning, an occurrence whereby the lives of several persons were in the greatest jeopardy, took place in Conduit-street, Hanover-square. It appears that on the afternoon of the previous day, captain Angerstein, who on the occasion was driving, proceeded with a carriage and four a short distance out of town, accompanied by some noblemen and gentlemen, his friends. On their return at the hour first-named, the vehicle was driven up to the door of Limmer's hotel, in Conduit-street, where the party alighted, and, after staying some time in the house, resumed their seats in the carriage, when captain Angerstein having turned the horses round, desired a man who was placed on the dickey with his key bugle to strike up the air of "Jim Crow;" he obeyed the order, but had not played many notes, when the animals, which were spirited and valuable, started off at a tremendous rate, in spite of every effort made to restrain them, and at the corner of Bond-street dashed the carriage with fearful violence against a lamp post; by the concussion the captain was precipitated head foremost from the box to the ground, where he lay for nearly two minutes

under the legs of the horses, which kept kicking and plunging in all directions, and he would inevitably have been killed on the spot, but for the assistance of a police-constable, who, by dint of great exertion, attended with much personal danger to himself, succeeded in dragging him to the foot pavement, and afterwards carrying him, assisted by other persons, on a stretcher back to the hotel. There he was promptly visited by Sir A. Cooper and Dr. Jones, who, on examining him, found that nearly the whole of his teeth had been knocked out by the fall, and that he had also sustained a severe fracture of the skull, in addition to other injuries of a serious nature. The rest of the party, who had fortunately perceived the danger they were in, jumped off without receiving any hurt, with the exception of the bugle-player, whose arm was considerably bruised. The horses having at length, by continued plunging, disengaged themselves, proceeded at full gallop, with the whole of the harness hanging about them, (the carriage remaining in a shattered state, with the wheel locked in the lamp-post,) into Berkeley-square, where they ran furiously against the iron railings, and injured themselves to such an extent as to render them almost valueless.

2. TRIAL IN PARIS.—An unusual case in the annals of jurisprudence was settled by the Tribunal de Première Instance, the question being to decide whether the master of an hotel had the right of detaining, as a pledge for payment, the children of a foreigner who had quitted his house without paying his bill. M. Tonny, keeping the Hotel Britannique, Rue

Louis-le-Grand, was assigned before the court, at the suit of Mr. and Mrs. Douglas, British subjects, and of Mr. G. Urquhart, father of Mrs. Douglas, to show cause why he should not give up five children of Mr. and Mrs. Douglas, who had been left with him by them several years back, while they themselves, the parents, were his debtors to the amount of 20,000 francs. It appeared that Mr. and Mrs. Douglas had been residing at a large hotel in Paris, which they were obliged to quit from not being able to pay their account, and that they took rooms at M. Tonny's, Mr. Douglas at the same time prevailing on him to sign bills, which enabled him to discharge his reckoning at the first hotel. After stopping some time at M. Tonny's, Mr. Douglas disappeared, leaving Mrs. Douglas, his family, and servants behind: but subsequently wrote a letter to the master of the hotel explaining his absence. A short time after this Mrs. Douglas disappeared also, leaving on M. Tonny's hands her children and domestics, ten persons in all; nor had they since taken any steps to withdraw either of them or to settle the debt due to M. Tonny, which, for the bills, for the expenses of the parents, and for the keeping of the children, who had been kindly supported by him ever since, amounted to the sum mentioned above. M. Charles Ledru, the advocate, and who was the *fondé des pouvoirs* of the complaining parties, declared that nothing could have been more honourable than the conduct of M. Tonny, who had generously supported the family of his debtors, and had thereby laid them under a sacred obligation to him, which no

doubt they would hasten to discharge. He added that he considered it part of his duty to make every personal effort with his clients to induce them not to defer any longer satisfying the just demands of M. Tonny; but at the same time he contended that the law did not allow of children being made pledges for the debts of their parents. The learned counsel concluded by arguing that M. Tonny was bound to give up the children, and to have recourse to other methods for procuring the payment of his debts. The president, M. Debelleyne, then addressed M. Tonny, and after declaring how honourable he considered his conduct to have been, informed him that the law did not sanction his detaining the children; adding, that as the advocate for the opposing parties did not deny the justice of his claims, he hoped those parties would pay the sum due to him. The court therefore decreed the restitution of the children, saving to M. Tonny his claim upon the parents.

4. RIOTS AT BIRMINGHAM.—The inhabitants of this town and neighbourhood had, for some time past, been kept in almost incessant alarm by the daring proceedings of the people calling themselves chartists. Representations to this effect having been made to the Home-office, sixty of the police, headed by the necessary superintendents, were sent down from London to assist the civil authorities in preserving the peace. They arrived in Birmingham by the railway on Thursday, July 4, and, after a short time, mustered, and marched two abreast into the Bull-ring, where about 2,000 of the chartists were assembled: this was about nine o'clock at night. On

the police desiring the mob to disperse, they refused, and a dreadful conflict ensued. In the affray many of the chartists suffered severely, nor did the police escape considerable injury. One of them was stabbed in the abdomen by a dagger, and another was wounded badly under the ribs, apparently by a similar weapon. In about three quarters of an hour after the conflict began, some troops of cavalry arrived, and on their appearance the Bull-ring was instantly abandoned by the rioters.

Ten of the rioters were apprehended; and amongst them the notorious John Taylor (the Doctor), dressed in a sailor's jacket, with monstrous large whiskers, and his hat decorated with some distinguishing emblem of his rank among the chartists; he, with nine others, were committed, charged with a riot, and sent off to Warwick county gaol. The next day Mr. Feargus O'Connor and Mr. Smith, a pawnbroker of Birmingham, entered into sureties to the amount of 250*l.* each, for Dr. Taylor's appearance at the ensuing Warwick assizes.—At about nine o'clock at night, Messrs. Lovett and Collins were brought before the magistrates, charged with publishing the following "scandalous and malicious libel," entitled "Resolutions unanimously agreed to by the general convention," and signed "W. Lovett, secretary:—"

"That this convention is of opinion that a wanton, flagrant, and unjust outrage has been made upon the people of Birmingham, by a bloodthirsty and unconstitutional force from London, acting under the authority of men who, when out of office, sanctioned and took part in the meetings of the people, and now, when they share

in the public plunder, seek to keep the people in social and political degradation. That the people of Birmingham are the best judges of their own right to meet in the Bull-ring or elsewhere, have their own feelings to consult respecting the outrage given, and are the best judges of their own power and resources to obtain justice. That the summary and despotic arrest of Dr. Taylor, our respected colleague, affords another convincing proof of the absence of all justice in England, and clearly shows that there is no security for life, liberty, or property, till the people have some control over the laws they are called upon to obey."

The prisoner conducted himself in a firm but respectful manner. He avowed the authorship of the resolutions, which expressed his own opinions; and he directed their publication after he became aware that there had been a collision of the military and police with the persons who met in the Bull-ring. In that part of the resolutions which mentioned men who had themselves taken part in similar meetings, he alluded to Mr. Muntz, then a magistrate on the bench; who, he asserted, though he had never acted with the convention, allowed himself to be elected a delegate, and was one of the trustees of the convention fund; and during the struggle for the reform bill, Mr. Muntz had himself attended meetings in the streets. Before the conclusion of the business, a paper was read by the chairman, denying, on behalf of Mr. Muntz, that he had ever accepted the office of delegate, or acted as a member of the convention. The two prisoners were committed on their own statements.

Sunday passed off in comparative quiet, though there were some dis-

turbances, and divine service at St. Thomas's church was stopped by a mob.

On Monday evening there was a great assemblage of the people in the different parts of the town; the military were again called out, and, together with the police, took their station in and about the Bull-ring. A partial skirmish ensued, in which the police were victorious. Next day, the people, having been denied the town-hall for holding their meeting, assembled at Holloway-end. The Rifles were ordered to disperse them; the people resisted, and began to pelt the military with stones. The order to load and make ready was given; when, fortunately, the 4th Dragoons having made their appearance, prevented the necessity of the fatal word—fire. Several prisoners were arrested, and brought in under an escort.

5. EXTRAORDINARY DEATH.—A representation having been made to the secretary of state relative to a point of law raised by counsel for James Dowsett, on his conviction at the Essex Easter sessions for killing a deer belonging to Mr. John Jolliffe Tuffnell at Great Waltham, when he was sentenced to ten years' transportation; the law officers of the crown decided in favour of the prisoner, and his discharge was ordered; but before the communication of his release could reach his friends, a letter was received by them announcing his death. His decease is said to have been occasioned by his having swallowed as many as twenty-four sixpences with a view to secrete them.

7. STORMS OF LIGHTNING AND HAIL. — The counties of Sussex and Kent were visited on Sunday evening with thunder and lightning, remarkable for its awful

grandeur, but happily unattended with any accident to life. At about half past nine in the evening, it was accompanied in Sussex by a shower of hail, or rather ice, of short duration, which did considerable damage. The glass of every skylight, greenhouse, conservatory, &c., in that county suffered more or less. At Arundel, the pieces of ice were described as of the most irregular shape, measuring from four inches to five inches over, and in general, incased a hailstone of large size. The fruit-trees, and all kinds of vegetation suffered. Fortunately there was no wind or the destruction must have been still greater.

8. GREAT FIRE IN DEVONSHIRE.—The town of Collumpton was visited by a frightful calamity occasioning great loss of property. At nearly one o'clock in the morning, flames were observed issuing from the roof of a thatched tenement in the principal street, which communicated with desolating activity to the contiguous habitations, most of which being also thatched, were, owing to the influence of a brisk westerly wind, consumed with fearful rapidity. The flames soon extended to both sides of the street, and reduced to ashes a long line of cottages and houses; the inhabitants being glad to escape with the loss of the greater part of their goods and property. The total number of houses destroyed, amounted to 132. One life only was lost on this occasion, and that by the sudden prostration of a wall. A large portion of the property destroyed was said to be not insured.

8. LIBEL.—An action for libel was tried in the Jury Court, Edinburgh, in which admiral sir David Milne

and his lady were the plaintiffs, and Mr. George Home defendant. It appears that Mr. Home had written a work entitled *Memoirs of an Aristocrat*, in which a number of false and scandalous libels against the plaintiffs had appeared, and to punish the defendant for which the present action was brought. The result of the trial was, that the jury unanimously found a verdict for the plaintiffs, with 1,000*l.* damages.

— MURDER OF A FATHER BY HIS SONS.—We have to record another of those acts of atrocity too frequent in Ireland. A poor old man named James Mulvaney, aged upwards of eighty years, who resided near Smear, having been missing by his neighbours, for a fortnight, and it being generally known that his sons were in the habit of beating him in consequence of a few acres of land which he held, and which they wanted to get possession of, suspicion was roused, and the police being informed of the circumstance, proceeded to the house and inquired where he was, when they were told that he went from home about a fortnight previous. Not being satisfied with the evasive manner in which the answer was given, they commenced a search, and discovered a grave in the garden six feet deep, which they opened, and there found the body of the unfortunate Mulvaney, in a mangled condition, lying in his clothes, except his shoes, which were found in the house of his son, as also a large hammer with blood on it, and the bed-clothes covered with blood. The sons were immediately arrested. An inquest was held on the body, and from the evidence of witnesses produced, the jury at once found

a verdict of "wilful murder" against two of the sons, and the other two sons as accessory, and they were committed accordingly.

10. FORGING A FRANK.—At Bow Street, George Lean, a schoolmaster, residing at Whetstone, near Barnet, was accused of altering a frank written by Lord Winchelsea. The alteration was admitted by the prisoner, who professed ignorance of the rules of franking, and thought he might alter the date and direction of a frank. He had to write a letter requesting ordination from the bishop of Peterborough; and he thought it more respectful to the bishop's secretary to send the letter under cover, than if he had sent it in the ordinary way. He declared, that he had a wife and five children solely depending on him for support, and he hoped, that the magistrates would not commit him to prison.

The prisoner was allowed to put in bail, himself in 500*l.*, and two sureties in the sum of 250*l.* each.

12. PARIS—SENTENCE ON THE CONSPIRATORS.—The proceedings in the Court of Peers in respect of fifteen of the parties accused of participation in the insurrection of the 12th of May, terminated on this day, after having lasted little less than a month.

Among the fifteen, was a harrier named Barbes, who was taken prisoner after having been severely wounded. His last appearance before the Court of Peers, previous to the present, was in the character of advocate for some of the "accused of April," (the persons tried for the insurrections in Paris and Lyons in 1834). He was charged with having headed the party which attacked the mi-

litary post at the Palais de Justice and by whom the officer in command of it, lieutenant Drouineau, and some of his soldiers were killed. Another of the fifteen was a man named Mialon, who fired the shot by which the sergeant-major of the municipal guards was killed. The remaining thirteen participated in the insurrection, and in the plunder of the armourers' shops.

The threatened development of the conspiracy in which this revolt originated, did not take place. The data, on which in the first moments of excitement, the crown lawyers boasted that they would bare the conspiracy to the bone, and connect it with the Buonapartists, proved vague and inconclusive.

The conspiracy was called the *Société des Saisons*, according to the account of one of the witnesses; each seven members formed a week, of which the chief had for title "Sunday." Four "Sundays" formed a "month," and three "months" formed a "season," four "seasons" a "year," and the whole obeyed three supreme chiefs, who represented, or were called the "three years" (*les trois années*). Who these were however, the police seem to have failed in ascertaining.

The judgment of the court condemned Armand Barbes, to death; Martin Bernard, to transportation; Mialon, to hard labour for life; Delade, Austen, and Phillippet, to fifteen years' detention (imprisonment); Neugues and Martin, to six years' imprisonment; Guilbert, Randel, and Lemeire, to five years' imprisonment; Longuet and Marechal, to three years' imprisonment; Walach and Pierre, to two years'

imprisonment; Bonnet, Libarzie, Dugas, and Gregoire, were acquitted.

At the entreaty of the family of Barbes, though in opposition, it is said, to the advice of his majesty's ministers, the king was graciously pleased to commute into hard labour for life, the capital punishment pronounced by the court against Barbes.

This act of clemency, however, failed to satisfy the liberal portion of the Paris press, and the outcry against the original sentence was silence, compared with the noise occasioned by that which was substituted for it. Rather than submit to it, some of them very kindly counselled Barbes to commit suicide, and so disappoint his enemies. The change, however, does not appear to have been so ungrateful to him as to his friends of the press. It is said that on hearing that the king had signed his pardon, Barbes exclaimed, "Louis Philippe has shown himself more generous than I expected. I certainly deserved death—my sentence was equitable." He and his fellow convicts were removed from the Luxemburg severally to Brest, Fort St. Michel, and Doullins.

The conduct of Barbes, always without reference to his crime, seems to have made a very favourable impression on the public mind generally; but it may be questioned how far his late associates, the sectionaires, relished his taking to his prayer-book and other religious practices, in anticipation of a speedy death; or approved the last words he pronounced in Paris, indicating a sense of honour which would prevent his ever violating the tacit compact between him and the

government. "Let what may be done with me," said he, "my political career is over."

Numerous assemblages of people were observed in Paris, on the day before the commutation of Barbes' punishment was known. One of them went in procession to the chamber of Deputies, preceded by a banner, bearing the inscription, "petition against the punishment of death." They were dispersed by the soldiery, who used their sabres very freely, though they killed nobody. A procession of students, in number between 2,000 and 3,000, went to the Tuileries, with a petition to the king, for the pardon of Barbes, but obtained no answer.

— RAILWAY ACCIDENT. — A distressing accident took place on the Liverpool and Manchester railway, causing the death of two respectable females, mother and daughter. The accident was entirely attributable to the sufferers themselves. The two women, who had been in the habit of coming to Liverpool every week, were proceeding to the station at Whiston for that purpose. The Birmingham train, which left Liverpool a short time previously, was ascending the incline; and the Bolton train was descending in the opposite direction. The women who were on the line, seeing the trains apparently meeting each other, became alarmed, and, losing their self-possession, were incautious enough to cross the road, when they were instantly knocked down by the Bolton train, which passed over their bodies. When taken up they were shockingly mutilated and lifeless.

13. FIRE.—A very extensive fire happened in Spitalfields. It was larger than any that has oc-

curring in London since the destruction of the Royal Exchange, on the 10th of Jan. 1837. It commenced about half-past ten o'clock at night, on the premises of Mr. Thomas Okey, basket and hamper maker, which were wholly burnt down. The property consisted of a large warehouse, about sixty feet in length, and twenty in depth. About ten houses in Quaker-street, eight in Phoenix-street, and several others in the adjoining courts, chiefly inhabited by weavers, were either destroyed or materially damaged.

— ABUSE OF THE RIGHT OF SEARCHING. — At the Mansion-house, Elizabeth Gaston, a female searcher for smuggled goods, attached to the City of Boulogne steam-vessel, was charged with searching two ladies on board that vessel, without reasonable ground to suppose that they had prohibited goods about their persons; for which offence the penalty of 10*l.* is imposed by law. The particulars of the case were as follows:—

Mrs. Jane Wingrove deposed, that on the 12th of May, she went, accompanied by her sister, on board the City of Boulogne steam-vessel, in order to visit a young lady at Boulogne. She had with her a letter of introduction from Sir William Curtis to captain Tune, the commander. The stewardess of the vessel, when they arrived at Boulogne, asked them for some pecuniary consideration; but as she had paid them no attention, they did not think she was entitled to any, and they offered her 6*d.* She said that she never took sixpences, and she detained half-a-crown which they put into her hand. When they complained of her keeping the half-crown, and mentioned that they were under the

protection of the captain, she said they might go the captain, and that he had nothing to do with it. They returned to London in the same vessel, on the following Thursday, having with them the band-box and small bag in which they had carried a few articles of dress to Boulogne. The box and bag were searched on board by the searcher; and as they were leaving the vessel, the stewardess, who had on the former occasion kept the half-crown, observed to them that they had not given her any thing. They replied, "No." The stewardess then said, "I dare say you will be coming over again," and witness said, "Very likely." They then left the vessel and were proceeding up the steps of the wharf, when witness heard her name called by some one on board. They immediately returned, and the searcher told them they must go below to be searched. They went down and were told by the searcher, that they must undress to be searched. They observed to her that they came under the captain's care. She asked them whether they were friends of the captain; to which they answered that they were not, but that they came under his protection. She then said to them, that the stewardess of the vessel was the person who had them called back, and begged that they would not mention it, or she would lose her situation. She repeated the request. They were very closely examined even to their linen, and the searcher passed her hands under their stays. When they were dressing themselves, the stewardess entered the berth. They were detained about half an hour by the search. The searcher said it was her duty to search them

and witness supposed that such was the case.

Miss Isabella Brown Reed, sister to Mrs. Wingrove, deposed that she was searched after the last witness, by the same searcher, and more closely. They had no foreign goods about them. Her sister was ashore, and was proceeding up the steps, and witness was following her, when an officer touched her on the shoulder, and said they must go to be searched.

Several questions were put to the two ladies, and to the captain of the City of Boulogne. The solicitor of the customs endeavoured to make out a case for the searcher and stewardess; but the magistrates were of opinion that their conduct was highly improper, and inflicted the full penalty of ten pounds.

15. MORE RIOTS AT BIRMINGHAM.—This town became again the scene of serious rioting. After the outbreak of the 4th inst. peace had been restored by the exertions of the mayor and magistrates, aided by the police of London and the military of the district; and on Tuesday, the 9th instant, all apprehension of immediate disturbance had been dissipated. It appears, however, that this feeling of security was not well founded. The magistrates, unwilling to exasperate the populace, took little notice of the petty disorders that had since occurred, and Monday being generally kept as a holyday, being the day appointed for the commencement of the (sacred) month of idleness, the crowds which assembled in the neighbourhood of the Bull-ring excited little remark.

In the morning, a meeting was called at Holloway Head; but it having proved a failure, a second

meeting was called for the evening, and was most numerously attended. It would appear that at the close of the meeting, the crowds which attended it made their way to the Bull-ring; a great portion of them breaking off at this point to meet Messrs. Collins and Lovett, whose return from gaol was expected that night. The crowds in the Bull-ring having increased considerably about seven o'clock, the police were ordered to disperse them. Having met with resistance, they were compelled to resort to some violence, and wounded three men, one slightly and two severely. The police, in order to avoid all cause for irritation, were called into the police-office yard, out of the gaze of the people. The latter, about eight o'clock, became exceedingly tumultuous, and commenced breaking the windows of the office, and flinging stones into the yard where the police were drawn up. At half-past eight o'clock, the rioters began breaking the windows and large lamps in High-street and Spiceall-street. At length they turned their attention to the houses themselves; into several of which they repeatedly made attempts to force an entrance. Finding that the clubs and sticks with which they were provided were ineffective for their purpose, they rushed at the iron palisades surrounding the Nelson monument, a portion of which they wrenched from the masonry, and then returned to the work of destruction. No time elapsed before they forced in Messrs. Bourne's, tea dealers, whose premises extend in front of the Bull-ring, in Moore-street. They then commenced pillaging the warehouses, and throwing their contents teas, sugar, spices, &c., into the street. They next broke

into Mr. Leggett's premises, (upholsterer) taking out immense rolls of bed-ticking, which they spread about the Bull-ring. At a quarter past nine, the order for putting out the lights was given, and obeyed by the rioters; men and boys climbing the lamp-posts, for the purpose of turning off the gas. The next object of destruction was the house of Mr. Murcott, cheesemonger, and Mr. Arthur Dakin, tea-dealer, which they battered in. The mob next demolished the front of Mr. W. Dakin's, tea-dealer; also that of Mr. Horton's, silversmith, and Mr. Parkes, tobacconist. In the interim, the bed-ticking which was spread in the Bull-ring, was collected in a heap by another party, and set on fire. A third section was busily engaged in battering in the houses of Mr. Allen Bursat, baker; Mr. Perkins, (headborough of Birmingham,) brush-maker; Mr. Arnold, pork-shop; Mr. Pountney, grocer; Mr. C. Heath, cheesemonger; Mr. Walton, butcher; Mr. Fincher, leatherseller; Mr. Bliss, Spread-eagle, an individual who never rendered himself obnoxious; his and Mr. Walton's houses were but slightly injured. They were about attacking Mr. Wainwright's, liquor-merchant, corner of Market-street, when cries of "No, no!" interrupted them; but not before they demolished a magnificent lamp recently put up. Mr. Martyns, cutler, and Mr. Banks, druggist, had the whole of the fronts destroyed, their property pillaged, and otherwise damaged. The immense frontage of Mr. Gooden's, Nelson hotel, was next assailed; the windows and doors being forced in.

At a few minutes past nine, the cry of "Fire" was raised. Scarcely

had the words been uttered, before the rioters carried immense heaps of the burning materials from the streets, forcing them into Messrs. Bourne's and Leggett's houses. Within a quarter of an hour the flames burst out with awful violence, amidst the hellish yells of the rabble, from both houses. During all this period neither the police nor the military made their appearance. The rioters had the streets to themselves. A two-horse fire-engine drove up; but the firemen were compelled to lash their horses off, otherwise their lives would have been the forfeit. The rioters were at this time busily engaged carrying fire to the other houses, especially the Nelson: but their efforts were happily rendered unavailing. The general cry amongst the inhabitants was, "Where are the military? where are the magistrates?"

At a quarter to ten, sixty of the metropolitan police, supported by a posse of specials, under the command of Mr. superintendent May, rushed upon the mob sword in hand. The latter immediately yielded, flying in all directions. As soon as they drove off the mob at a short distance, they judiciously retired. The dragoons under the command of colonel Chatterton were now espied coming down Moore-street. Another squadron of dragoons at the same moment galloped down High-street; the inhabitants welcoming them with plaudits, and clapping of hands. In five minutes after, about 300 of the Rifle brigade marched down to the Bull-ring. At this period, also, the engines came under escort. The cavalry was all this time scouring and clearing the streets and suburbs, and the policemen were engaged bringing-in prisoners. No

death took place, although two persons were dangerously, if not mortally, wounded.

About eleven o'clock, the roof of Mr. Bourne's house fell in; and about twelve, that of Mr. Leggett met the same fate. The engines continued playing till one o'clock, when the fire was got under; but the houses were completely destroyed. The riot act was read at an early hour.

On Tuesday morning the military patrolled the streets; the police were occupied in arresting stragglers, and the magistrates in examining and committing prisoners. The shops were nearly all closed, and the inhabitants full of suspicion and alarm. The exasperation of the mob against the London policemen was very great, and threats of vengeance were uttered aloud. A reward of 100*l.* was offered for the apprehension of the chief offenders.

At eight o'clock, it was announced that the chartists were attempting to get up a meeting at Holloway-head; and, immediately on the receipt of this intelligence, two troops of the fourth dragoons and a piece of artillery proceeded to the spot in all haste, under the command of colonel Chatterton. A party of the rifles were under the command of Mr. Halston. Upon seeing the dragoons and artillery, the chartists did not attempt to come into collision with them, but fled. Towards the police and soldiers violent language was used. About twenty prisoners were made upon the occasion. No disturbance subsequently occurred during the night. A piece of artillery was placed at the head of High-street.

A memorial to lord John Russell, alleging apathy, misconduct, and incapacity on the part

of the magistrates, was numerously signed, and sent to London on Tuesday night.

Wednesday and Thursday passed off quietly; but the evidence given before the magistrates, who were employed in examining and committing captured rioters, was not of a nature to dispel apprehension. It appeared that editions of colonel Macerone's book on "Street and House Fighting" and the employment of the "new Combination-arms," had been extensively circulated, at a penny each, with a frontispiece in which nine "foot lancers" were putting as many regular soldiers to flight, having wounded four of them! A large quantity of pikes, manufactured after Macerone's pattern, were seized. The disposition of the mob to destroy property was not concealed; they did not wish to injure anybody personally, but would make the rich as poor as themselves.

From a statement sent to lord John Russell by the mayor of Birmingham, it seems that the magistrates fully believed that no disturbance was to be apprehended. The mayor remained at the public office till five in the evening, and then went to his residence, a mile out of town; leaving orders to be sent for in case of any alarm. One of the magistrates was near the Bull-ring at a quarter past eight, and all was quiet. The rioters made their appearance suddenly; and intelligence being immediately sent to the mayor, he, with another magistrate, galloped to the barracks, and immediately went with a body of dragoons to the scene of disturbance. Of course, some time elapsed before the arrival of the mayor and dragoons; and in the interval the outrages were perpetrated. The mayor, on behalf of

himself and his brother magistrates earnestly called for an inquiry into their conduct; which was afterwards instituted. It is singular, that during the whole of these disturbances, though several were wounded, no human being was killed.

16. ARITHMETICAL PRODIGY.—

At an entertainment given by the lord and lady mayoress at the Egyptian-hall, Piccadilly, the company were highly gratified by a lecture from Mr. Gustave Adolphi Bassle, a boy not more than twelve or thirteen years of age, possessed of inconceivable powers of memory, of which he gave proof, which astonished everybody. Papers were distributed among the numerous company, containing 24,000 questions, from which they were requested by the boy and his father to interrogate him as rapidly as they could. To all the questions put to him he answered correctly to the figure or letter, and without hesitation. Amongst those who most closely examined him were the lord mayor, Dr. Birkbeck, Dr. Conquest, Mr. Lawrence, Mr. Stacey, &c. He showed the order in which, in the game of chess, the knight must move to pass over in sixty-four moves the sixty-four squares of the chessboard, commencing for example at No. 11, and made no slip, describing the exact position of each figure. He felt no hesitation in mentioning the hebdomadal name of the 1st of January from Christ to the year 1582, the epoch of the Gregorian reformation of the calendar, and from 1582 to the year 2400. He gave an account of the comparison between certain velocities. He detailed the specific gravities of elastic fluids, of liquids and solids, as extracted from the

Annuaire du Bureau des Longitudes à Paris. After having for upwards of an hour kept up the astonishment of the company, he handed round a paper upon which they wrote down forty-five different figures, and immediately afterwards he repeated the whole backwards and forwards with astonishing rapidity.

17. INSULT TO THE QUEEN.—

In the course of her Majesty's ride in Hyde Park, the Queen was annoyed by the impertinence of a person on horseback, in the garb of a gentleman; who repeatedly crossed her path, and endeavoured to approach the Queen, laying his hand upon his breast in a theatrical and ridiculous manner. Though warned to desist from such improprieties, he persisted in them, till Colonel Cavendish gave him in charge to a policeman, who conveyed him to a station-house in Westminster. The man, it appears, was a commercial traveller, named Charles Willett. On the following day, the defendant was brought before Mr. Minshull, at the home office, when charges of assault were preferred against him by John Light, one of her Majesty's grooms, and some of the police constables, who had been attacked by him with some violence, when they attempted to take him into custody. He was ordered to pay 5*l.* for assaulting Light, and to enter into his own recognizances in 200*l.* and find two sureties in 100*l.* each to answer for good behaviour towards all her Majesty's subjects for the next twelve months.

— CHARTIST MEETINGS.—Chartists to the estimated number of 3,000 or 4,000, met in Clerkenwell Green, on Monday night the 1sth. They passed resolutions

condemning the proceedings of the authorities in Birmingham. The behaviour of the persons assembled was orderly; not a flag or banner was to be seen.

On the 17th, a few delegates met at the lumber troop room, and discussed the propriety of calling upon the working classes to abstain from labour for one month. Mr. Fletcher asked, how those who had no money were to live during the strike? Mr. Rury replied—He would assemble the workmen at a given hour every morning, and march them through the streets; and then the middle classes would supply them either through love or fear—he cared not which. It was a fact, that unanimity towards chartism could only be found in the worst-paid ranks. The man who earned 30s. a week, cared nothing for those who earned but 15s., and the latter cared as little for the men who worked for 5s. or 6s. a week. There was an aristocracy of the working classes, as well as of the gentry and nobility. The affair at Birmingham proved, that the people were not yet duly organized and guided. Mr. Richardson said, the people had had several "sacred months" at a time already, and the manufacturers would consider their refusal to work just now as a godsend.

Of course nothing was done.

18. WELCHPOOL.—TRIAL OF THE LLANIDLOES RIOTERS.—The Montgomeryshire assize court was crowded to excess to-day, in consequence of it being known, that the individuals connected with the outrages at Llanidloes, would be placed upon their trial. The prisoners, 32 in number, were brought from Montgomery gaol at an early hour, and were ranged, some in

the dock, and others in the seats appropriated for solicitors. They were all included in one indictment, which charged them with having unlawfully and riotously assembled together, and beginning to demolish, pull down, and destroy the dwelling house of David Evans, at Llanidloes, in the county of Montgomery.

Upwards of 20 witnesses were examined for the prosecution, and the trial occupied the whole of the day. The evidence need not here be given; the facts of the case as substantiated by the witnesses, having appeared already.

All the prisoners were identified as having taken a part in the riot, with the exception of two, who could not positively be spoken to.

The learned judge having minutely summed up the evidence, the jury retired, and shortly returned with a verdict of *Guilty* against all the prisoners, with the exception of the two just mentioned.

Mr. Justice Pattison then proceeded to pass sentence, and in doing so, said, that if any person's life had been sacrificed through the prisoners' violence, the whole of them might have been indicted for murder. He should make an example of those who had taken the most prominent part in the riots. With respect to Abraham Owen and Lewis Humphreys, who had been convicted of training and drilling, he should sentence them for that offence, and not for the riot, as it appeared they had been the most violent of the mob. He then sentenced them to seven years' transportation. The rest of the prisoners, two of whom were women, were sentenced to terms of imprisonment varying from two months to one year.

19. CONVICTION OF POWELL, THE CHARTIST LEADER.—At the same assizes, Thomas Powell, recently in business as an iron-monger in Welchpool, was found guilty of having on the 9th of April made use of seditious language, for the purpose of exciting disaffection among her majesty's subjects. The following was the most material part of the evidence.

John Jenkins, (articled clerk to Mr. Owens, solicitor, and under sheriff residing at Newtown;) I attended a meeting at Newtown, there were from 800 to 1,000 persons present. Powell was there and addressed the meeting. I committed his language to writing soon after. He said, "I am a native of Newtown, nor am I ashamed to own it. Whenever the name is mentioned in my ear, there is something delightful accompanying it, for I know that the inhabitants are liberal, and will preserve their rights; but when Welchpool is named, there is something offensive in the sound, for the inhabitants are Tories. But I have had abundant proof of your boldness in opposing tyranny. I have at all times stood forth as your leader in the warfare, and I hope you will not forsake me, if called forward, but that you will oppose force to force, if necessary. Some of our members want us to employ moral force. What will moral force do for us? You have groaned enough under tyranny to know that it will not avail you. There is no necessity for such strife; be determined, and your opponents will not withstand you. Your number is sufficient, be close together, and you will march through every town and city in the kingdom, without opposition,

clearing every obstacle in your way." The words "physical force" were cheered by the people. They answered "We will."

Mr. Richard Williams, flannel manufacturer of Newtown, was present at the meeting. Heard Powell speak, don't recollect the words he made use of, but the first part I heard, was his desiring the people to form themselves into committees, and go round to the farmers and their servants, and convert them to their opinions. Another part of his speech was loudly cheered, and he said, "Perhaps those who cheered the most would fight the least." He said, provided they were called up in the morning to fight, he hoped every man would fight to the death, and added, "I will be your leader." The people answered "Yes, we will." These were the words, as well as I can recollect. There were 700 or 1,000 present.

Mr. R. Powell, flannel manufacturer, was also at the meeting, and heard Powell urging the people to physical force, to gain their ends in case moral force failed.

For the prisoner several witnesses were called, who thought that Powell's speech so far as they had heard it, had a peaceable tendency. He spoke of the ignorance of the working classes in the country, particularly the labourers, and advised the people of Newtown to send missionaries to instruct them in their political rights, and urged them to support the national convention." He recommended moral force, but the witnesses did not hear him urge the people to use physical force. The people did not make much answer when he spoke of moral force.

The jury returned a verdict of

Guilty, with a recommendation to mercy.

The prisoner was sentenced to be imprisoned in Montgomery gaol for the term of 12 months, and at the expiration of that period, to find sureties to keep the peace for 5 years, himself in 400*l.*, and two sureties in 200*l.* each, and to be further imprisoned until such sureties were found.

19. TRIAL FOR LIBEL.—At the York assizes, Mr. Feargus O'Connor was tried on a criminal information for publishing in the *Northern Star*, a paper of which he was the editor, the following libel on the guardians of the poor-law union at Warminster in Wiltshire:—

“Warminster Bastile. A little boy last week, for some small offence, was confined in one of the cells belonging to the above work-house, and was literally starved to death. The poor little fellow during his confinement actually ate, in consequence of hunger, two of his fingers and the flesh from his arm.”

Mr. O'Connor conducted his own defence. The article itself, he said was ludicrous. If indeed they believed that the boy did eat his fingers, they might be quite certain the governor was not fed on such things; whatever he gave the boys, he seem at least to have taken good care of himself. Mr. O'Connor was never at Warminster in his life; he never wrote the paragraph; he never saw or heard of it until the attorney-general moved for the rule; the article came through the medium of another newspaper, and the greater portion of it treated of the low price of labour at Warminster. He then adverted to the motives for the prosecution; and asked

why this information had been allowed to slumber from December to April, except that the ministry hoped for a larger bait; and that not being offered, they thought a smaller one would do?”

A verdict of guilty was returned by the jury; and Mr. O'Connor entered into recognizances to appear at Warminster and receive judgment, which, however, the parties complaining did not eventually press for.

20. CHARTIST PROCEEDINGS.—In the north of England, the same spirit of turbulence and discontent prevailed, as had been exhibited elsewhere. Meetings were held in Manchester, Bury, Bolton, Sunderland, and Bradford; and in Newcastle-upon-Tyne, on the night of the 20th, a serious disturbance occurred. It does not appear that it had a political origin; but, from the following account in the *Tyne Mercury*, it seems pretty evident that it took a political direction—

“Notwithstanding a placard issued by the council of the northern political union, calling upon the chartists to respect the lives and property of the inhabitants, in consequence of their nightly meetings not having been interfered with, a rather serious outrage, which has created some alarm in Newcastle, has been committed upon both public and private property. It was stated that the mob was first collected together by a drunken fight, between twelve and one o'clock this (Sunday) morning; but they proceeded to a pile of bricks lying near the new Corn Exchange; and having loaded themselves, they immediately commenced breaking the windows of the Union Bank. They next proceeded along Col-

lingwood-street, breaking the gas-lamps, not one of which was suffered to escape, and most of the windows on both sides of the way. From Collingwood-street they turned into Dean-street, committing similar devastation on the lamps and windows in their progress. When opposite the *Tyne Mercury* office they set up a tremendous yell, and instantly proceeded to deal forth their vengeance upon the premises of that establishment; the editor of which paper, by his marked denunciation of the chartist doctrines, no doubt drew down upon him the vengeance of the rioters. The mayor, John Fife, esq., having been sent for, promptly made his appearance: as did also another magistrate, Dr. Headlam. Still the riotous proceedings continued; and the public streets in the neighbourhood of St. Nicholas-square presented a scene of the greatest tumult and uproar. In this minacious state of things, notice was sent to the barracks for the soldiers to be in readiness; the whole garrison was under arms with the greatest celerity, and continued so for two hours; but the active and unremitting exertions of the police, and the caption of several of the ringleaders (fourteen in number), at the same time that the morning began to dawn, dispirited the cowardly ruffians; who sounded a retreat at about half-past two o'clock this morning; and thus the appearance of the military was rendered unnecessary. Some very threatening language was made use of by the rioters. One fellow said, 'Let us fire the *Courant* printing-office,' one of the most valuable establishments of the kind in Newcastle; and another miscreant, on seeing the chief magis-

trate, exclaimed, 'That's the mayor; I'll smash him,' attempting at the same time to throw a half-brick at him; but, luckily, one of the police arrested not only his arm, but his body also, taking him into custody. On the person of a pitman, who was also arrested, a pike-head was found concealed."

The magistrates lost no time in committing the prisoners for trial.

21. NEW ROMAN CATHOLIC CHURCH.—A Roman Catholic church was opened at Everingham, in Worcestershire, in a style of splendour unequalled in England. The building cost 30,000*l.*; and the procession of bishops and clergy, with the pope's banners and the host elevated, it is said, was more splendid than ever witnessed in modern days in this country.

22. HUNTINGDON MAIDEN ASSIZE AND CURIOUS MANORIAL CUSTOM.—The learned judges arrived in this town, and the commission was opened with the accustomed solemnities; after which, both courts were adjourned until next day. Upon the re-assembling of the court and its officers at the appointed hour, with the grave ceremonies established by ancient usage on such occasions, it appeared that their lordships might have adjourned until the next assizes; for neither cause nor criminal was there to be tried.

Mr. Justice Vaughan, in briefly charging the grand jury, congratulated them on the peaceable and honest state of things existing around them, which he trusted would be as permanent as it was satisfactory. The gentlemen then retired for a few minutes to their private room, and presently returned and informed the court, "they had nothing to present,"

when they were discharged from further attendance. Some of the petty jurors were very angry at "being called so far from home, and all for nothing."

The learned judges proceeded to Oakham. On this occasion the bailiff of the manor was successful in catching lord Abinger, and asserting the right, by ancient manorial custom, to a horse-shoe at his lordship's charge, to grace the castle walls. On two former occasions of this learned lord being in the commission of assize he eluded the vigilance of the officer, and the cost of compliance with the manorial custom. Several new shoes, of Patagonian dimensions, had been lately added to the collection in the castle. Amongst them are those of lord Denman, lord Barham, the earl of Roden, the marquess of Cholmondeley, and the bishop of Carlisle. Lord Willoughby D'Eresby contributed the usual fee (5*l.* to 10*l.*), and sent a real horse-shoe—one which had been worn by his well-known favourite hunter, Clinker. It is gilt, and nailed over the door of the grand jury-room. There are now nearly one hundred shoes, of various dimensions, hung up in the old hall of the castle, which forms the assize courts. They are inscribed with the names of the donors, and amongst them are several from royal personages, including queen Victoria's and the duchess of Kent's. The building was erected in the year 1060, and it is thought that an immense iron shoe, of singularly beautiful workmanship, which looks like the ancestor of all the rest, is nearly as old as the castle itself.

24. "LITTLE WADDINGTON," THE BILL-STICKER.—This well-known personage was brought up

at Hatton-garden office, on a charge of having two unloaded pistols in his possession. He had been taken into custody on Clerkenwell-green that morning. Witnesses were examined at great length, to show that he was connected with the chartists, and was present as a speaker at all their out-door meetings. He said he was going to raffle the pistols; and attempted to show that chartist meetings were not illegal, and that every person had a right to go armed. He quoted lord John Russell as his authority for this latter statement. Waddington was remanded; and the next day he was liberated, on entering into his own recognizances to meet any charge brought against him at the sessions. He took advantage of his liberation to distribute among the persons in the office an inflammatory handbill, calling on the "men and women of England" to make a run on the Bank for gold, as "Rothschild the Jew sends 20,000*l.* daily in sovereigns to France!"

25. DRURY LANE THEATRE.—The proprietors of this concern assembled in the saloon; the earl of Glengall in the chair. The exhibition of the state of the finances was a woful affair. It appeared that though Mr. Bunn had taken the theatre at a rent of 6,000*l.* a year, he had only paid 6,000*l.* in three years, and last year only 1,350*l.* Mr. George Robins said, that during the last season the theatre had been disgraced beyond all power of redemption, by its having been opened for the admission of persons at one shilling a head. It was kept open until the attraction of both horses and asses failed to draw an audience; and then the classic boards of Drury Lane were

still further disgraced by persons being admitted at one shilling each. He was of opinion that the committee had not made proper exertions to let the theatre. Covent Garden had been let for 7,000*l.* a year to Mr. Osbaldiston, and the money had been duly paid. It was afterwards let to Mr. Macready, who had paid the whole of the rent he had agreed to. Why, then, was not Drury Lane theatre let to the same advantage?

A proprietor wished to know the actual state of the finances? Mr. Robins said—The debts were 17,706*l.*; to meet which, there was 17,704*l.*; which latter amount consisted of 5,000*l.* due from captain Polhill, and 12,000*l.* from Mr. Bunn! It was stated that Mr. Hammond had taken the theatre for three years.

25. ASSAULT.—At Maidstone Assizes, John Gage, aged 26, a private in the 15th hussars, was indicted for robbing Rebecca Elizabeth Sharp, and at the time of such robbery using personal violence. Another indictment charged the prisoner with a capital offence.

The prosecutrix stated that she had been separated from her husband seven years, and for the last five years had lived with another man. On the evening of the 23rd of May she was at Gillingham, when a soldier laid hold of her and dragged her to an obscure place by the road side. She sued for mercy and told him she was a married woman, but he gained the upper hand of her. (The witness proceeded to detail facts, which left no doubt of a capital offence having been committed.) She must have been there nearly two hours before he left her, and she was insensible

during the greater part of the time. She made all the resistance in her power, and scratched his face and hands. He beat her about the head, and gave her two black eyes, bit her in several places, and her middle finger to the bone. After the prisoner had left her, she discovered that she had been robbed of her money and pocket book. She denied positively that she had been drinking with the prisoner and his comrades that night or at any other time. (The bonnet and apparel worn by her that night were here produced; almost every article was literally torn into slips, and much stained with blood.) She had received severe kicks or blows in the lower part of her abdomen, from the effects of which she never expected to recover. The witness was rigidly and shrewdly cross-examined by the prisoner, but she gave a direct negative to most of the questions put to her.

The prosecutrix identified the tattered dress and the riband found in the prisoner's pocket. She was quite sure as to the identity of the prisoner.

The jury consulted for three minutes, and returned a verdict of *guilty*.

Lord chief justice Tindal said, he fully concurred in the decision of the jury, and told the prisoner that his offence was one of great atrocity, and degrading to the sex and the species to which he belonged. The court adjudged him to be transported beyond the seas for the term of his natural life.

26. ANOTHER CASE OF ASSAULT AT THE DURHAM ASSIZES.—The Rev. Robert Carswell, a dissenting minister, was indicted for a rape upon the person of Ann Brown, at South Shields, on Mon-

day, the 3rd of June, last. At the time of the alleged offence, the prosecutor, who was only between 15 and 16 years of age, had lived in the prisoner's service for 11 weeks. He was a married man with four children. His wife, and two of the children had been some time absent in Scotland. The other children were left at home with the girl, the youngest of whom slept with her. On the morning of Monday, the 3rd of June, the prisoner went into her bed room in his night dress. She resisted his approaches, and threatened to rap the wall behind which a Mrs. Davis slept. He then went away, but returned twice at short intervals, and the third time succeeded in effecting his purpose. She remained in bed an hour after without making any alarm, and then rose and proceeded to put the house to right as usual, and went to the baker's for bread. At breakfast he spoke to her, and asked her to meet him at a place called the Marsden-rock, which she refused, and said she would tell her mother. He directed her what to prepare for dinner, and then went out, but did not return at the time named. Several persons in the course of the morning called, among whom were some ladies and the prisoner's surgeon, to inquire after his health, he having been lately indisposed; to none of whom did she mention the case. Towards evening she went to her mother's house, and intimated what had taken place. No marks of violence appeared on her person indicating that coercion had been used.

The prisoner's counsel, Mr. Dundas, addressed a powerful speech to the jury, in which he insisted that there was none of

that confirmation which the law required in a case of this kind, to show that what had taken place, was against the will of the prosecutrix.

The jury after a short retirement, returned a verdict of *not guilty*.

Mr. Justice Coltman addressing the prisoner, said, that he concurred in the verdict, but that the prosecutor had much to regret and repent of, and, that his conduct to the young woman, as his servant, and at such a tender age, was extremely disgraceful.

— RIOT AT A THEATRE.—A party of Jews got up a disturbance at the Garrick Theatre, on the occasion of the first performance of a new piece, founded on the late robbery, called *Gold Dust*. At the close of the performance, Mr. Denvil, the manager, came forward and said—"Ladies and gentlemen, you who are for a repetition of the *Gold Dust*, hold up one hand." More than nine tenths of the audience responded to the call by holding up a hand, to the great discomfiture of those who had attended with a view of damning the piece. During the uproar, a young man, named, Myers, the son of a wealthy Jew, was apprehended and taken to the station-house, for destroying a portion of the ceiling of the house; and a great effort was made by a mob of nearly three hundred of his tribe, who were in front of the theatre, to rescue him.

27. CIVIC PROGRESS ON THE THAMES.—On the evening of this day, the lord mayor returned to the Mansion-house, after an absence of six days, "on the business of the conservancy of the Thames." It appears, that in obedience to an old custom, the lord

mayor, with his wife and a party, went up the river as far as Henley, in civic pomp, and received and gave entertainments during their progress. The principal feasting was at Windsor. The Queen had sent orders that lord Wilson and his lady should be shown over the Castle, even into the private apartments of royalty; and the townspeople of Windsor gave the civic party a dinner at the White Hart. They were received on their return at Magna Charta Island, by Mr. Harcourt, M.P., and with a salute of guns. Here, the scene appears to have been exceedingly animated:—

“From the door of the cottage to the water's edge, a temporary landing had been provided, the steps of which were covered with crimson carpeting. On the last step stood Mr and Mrs. Harcourt, and their youthful son, who held in his hand a large bouquet of flowers. On each side of the landing were placed 120 boys and girls of the charity school, dressed in the costume of King John's time, and holding baskets of flowers. The banks of the river were crowded with people; and in the front of the cottage stood the nobility and gentry of the neighbourhood, and the surrounding villagers with their families. At a little distance stood Mr. Harcourt's labourers, with agricultural implements in their hands. The band of the second life guards, stationed on the grounds, joined the lord mayor's band in playing the national anthem. The moment the lady mayoress landed, she was presented with the bouquet in an elegant cornucopia of white cornelian and gold, by the son of Mr. Harcourt; and as the party ascended the steps and

passed along the platform, the children strewed flowers in their path. They were next conducted to the cottage; in which the first thing that attracted their attention was the stone on which King John signed Magna Charta. Mrs. Harcourt provided each of the party with a book of views of the island, and begged that they would all enter their names as visitors to the island. Ankerwick House, the residence of Mr. Harcourt, was fitted up to receive them in true baronial style, the walls being covered with emblems and ancient armour. The spacious hall was laid out as a banquetting room. Mr. Harcourt had provided, under a tent, refreshments for all the lord mayor's watermen, servants, officers, and attendants. The state-barge, on its departure, was saluted with guns, which kept up a fire as long as the party were within sight of the host and hostess.”

— CHARGE OF EMBEZZLEMENT.

—Christopher Todd, one of the tellers at the bank of Liverpool, was charged before the magistrates with having embezzled several large sums of money. The court was crowded with merchants, bankers, and individuals engaged in commercial pursuits. Evidence was given of the appropriation by the prisoner of large sums belonging to a Mr. Smith, and further defalcations to the amount of 3,000*l.* had been discovered, and were laid to his account. The prisoner, a well-dressed young man, twenty-seven years of age, when placed at the bar, held down his head till he reached the front of the dock, and then he immediately buried his face in his silk handkerchief, and kept it covered from view during the whole examination, except at one juncture, when he raised his

head for an instant. In the course of the examination several witnesses proved that they paid, in the course of business, sums of money to the prisoner, of the receipt of which he had given no account to the bank. He was committed for trial.

— MURDER.—At Durham assizes, Jacob Frederick Ehlert, a Prussian, was put to the bar, to take his trial upon an indictment which charged him with the wilful murder of captain John Frederick Bergholtz, at the parish of Monkwearmouth, on the 13th of June previous.

The prisoner, being a foreigner, was entitled to be tried by a jury *de medietate linguæ*, but he waived the privilege, depending upon one composed entirely of Englishmen.

The unfortunate man who had been murdered was the captain of a vessel called the *Phoenix*, which traded between a port in Prussia and this country. On the 13th of June, his dead body was found in the water on a shoal of sand near the bridge at Sunderland, and from the manner of its disposition, and the nature of the injuries which had been inflicted upon it, no doubt was entertained of its having been murdered. The crew consisted of five persons, the prisoner was mate. All of them were taken into custody, and shortly after a confession was made by one of them, a boy of nineteen years of age, named Müller, who admitted his participation in the crime, but fixed the guilt of it upon the prisoner. The following was the most material part of the evidence.

Benjamin Howe, serjeant of police in Sunderland.—I assisted to take the body. A stone and a rope were attached to it. The rope was tied round the body. The body had on a flannel shirt,

and above that a white linen shirt. He had a pair of stockings on. The right side of the forehead above the eye was smashed in. There was a cut above the eye betwixt where it was smashed in and the eye.

Mr. William Dodd, surgeon in Sunderland.—I was called upon to examine the body at the workhouse on the 13th of June. The face and head presented marks of the most severe injury, there were two very deep and severe wounds on the forehead. I opened the head. The forepart of the head was broken into almost countless pieces. It was a complete mass of broken bone. There was a red coloured mark on the neck half round the right side. It would be a blunt instrument, with a partially angular surface, which would be calculated to cause those injuries. I have no doubt but that the injuries were caused before death, from the peculiar appearance of the skin and the quantity of congealed blood found amongst the broken bones. The lips were fresh and like life. I infer from that that he died almost instantaneously. The mark on the neck was caused soon after death. It looked more like a mark caused by a handkerchief, than from a cord.

Frederick Müller.—I was on board the *Phoenix* on the 13th of June last. I was second apprentice. I went on my watch between twelve and two o'clock that morning. The prisoner came to me and desired me to come down into the captain's cabin. I said, what have I to do there? The prisoner gave no answer, but went down to the cabin and brought a bottle of spirits up. He gave me about half a glass. He then desired me again to go down to the cabin, and I went

down. When we came before the cabin door, the prisoner desired me to put off my shoes. The prisoner had no shoes on. I did not see that he had anything in his hand. The mate had a lantern covered with a jacket. He gave me both. He desired me to take off the jacket from the lantern. When it was uncovered, the light fell on the face of the captain. The captain was lying asleep on the larboard side of the ship in his sleeping room. The mate had a maaker in his hand, with which he struck the captain three blows. A maaker is an iron hammer of a certain weight and a long handle. The mate held the maaker with both hands and struck. When the captain got the first blow he groaned once. He made no more noise. I did not see where the mate got the maaker from. There was one on board. It was used to beat salt-fish tender. The captain's head was on a pillow. I said, "Mate what are you doing, why do you do so?" He did not answer. I wished to run away, but the mate took hold of me and locked the cabin door. The mate took a line, the thickness of my little finger, and tied round the neck of the body and dragged it upon the floor. The mate put a pair of stockings and a pair of blue trousers on the body, and a sack made of sailcloth which he drew over the whole body. When the prisoner had done so he opened the cabin door, and took a sheet from the captain's berth, and I ran up stairs. The mate ran after me, took hold of me, and drawing a knife out of his pocket, threatened to kill me if I ran away. He said if I would not betray him he would give me 300*l.*, and that he thought the captain had got as much. The

mate then took up the skylight over the captain's cabin. He took a line from one of the sails and let it down into the cabin. The mate went down into the cabin. I could not see what he did there. He returned to where I was, and drew the body of the captain through the skylight upon deck. The body was in the bag then. He carried it to the larboard side, and threw it overboard. It was fast to the rope. The mate held it fast. He ordered me to bring the boat round to the starboard side. It was lying in the water at the forepart of the ship. I went and brought it round. The mate came down into the boat to me, and fastened the line on the body to the boat. I wanted to run out of the boat. The mate took hold of me and pushed the boat off. Each of us took an oar and rowed. The body was lying in the water, and the rope being attached to the boat we dragged it after. The vessel was lying on the south side of the river. We rowed up the river towards the bridge, and pulled towards the south side of the river. A stone was lying on the shore. The mate went on shore and brought the stone into the boat. The mate took part of the line and fastened the stone to the rope which the body was fixed to. The mate then threw the stone overboard, and the body which was in the water sank with it. It was about the middle of the river towards the bridge; it was high water. The trousers and the bag were lost off in rowing. We then returned to the ship. The boat was fastened, and we went on board about two o'clock in the morning; that was the end of my watch. I said to the mate, my watch is over, I must call the cook. The mate said, "don't call the cook, I will

keep the watch myself." It is not usual for the mate to keep watch in harbour. He told me to retire to my berth. The cook was not called. The mate said no more to me before I went to bed. I went to the roof and stayed there till four o'clock, when the mate came and called me to set the captain on shore. He said, "Frederick, jump up and set the captain on shore." He came into the roof and shook me, and said jump up. I went to the fore part of the ship towards the boat, and the mate came after. The boat was in the water. He told me, if I was asked, to say I had set the captain on the north shore, near the ferry boat landing, and that the captain had on a blue pea coat, a pair of grey trousers, little boots, and a new hat; as to the waistcoat, I should say I had not seen it. This was before I went into the boat. The mate said if I would not give those answers it should cost me my life. I got into the boat alone. I went a little distance to the south side of the river, and remained about a quarter of an hour, and returned. I found the mate on deck. I went to my berth, and the mate called the proper watch to do his watch. It was about a quarter to four o'clock, quite light. The mate threw the hammer, with which he struck the captain, out of the cabin window, overboard. He told me he had thrown the captain's watch overboard. I told the crew that I had set the captain on shore on the north side. No search was made for the captain that day. The cook and I had a few words about my having taken a dram. I had got spirits. The mate gave me a bottle of rum, one of wine, and one of geneva, in the forenoon. He gave me some foreign coins, French and

Danish money. There were six five-franc pieces.

Müller was subjected to a rigid cross-examination, from which no contradiction to his statement was elicited, except to that part of it which implied his inability to give an alarm to the rest of the crew. The evidence of the other witnesses called, tended to corroborate his account of the transaction.

When called upon for his defence, the prisoner strongly denied the whole of Müller's statement. He put his hand to his heart and said his conscience was clear. He said he knew nothing of the murder till he found the boy on the stair-head of the cabin. He requested to be confronted with Müller, and when that was done, the prisoner reproached him with the falsity of the statement. Müller said it was true.

The case for the prosecution being closed, Mr. Knowles addressed a powerful and argumentative speech to the jury, in which he dissected the evidence of the boy Müller, insisting on its inconsistencies and affirming that it wanted confirmation. There was nothing, he insisted, that the prisoner was alleged to have done, which might not have been perpetrated by the witness Müller. The learned counsel concluded with an eloquent appeal to the jury on the peculiarly desolate and trying circumstances in which the prisoner as a foreigner was placed.

Mr. Justice Coltman summed up the case with great caution and minuteness; and the jury after a short deliberation, returned a verdict of *guilty*. The prisoner was sentenced to death, and was executed in the course of the autumn.

29. **FORGING CHECKS.**—A distressing case occurred at Exeter assizes. A young man who had hitherto borne an excellent character, named John Elliott, was charged with having forged a check for 30*l.* 10*s.* on the cashiers of the Devon and Cornwall banking company at Plymouth, purporting to be the check of Mr. John Murch.

From the evidence, it appeared, that Mr. Murch was a shareholder in the Devon and Cornwall bank, and also carried on business as a builder, and some years since was in partnership with a person of the name of Pilditch, in whose employ at that time the prisoner was, and his duty was to keep the accounts and to present checks drawn by these gentlemen on the bank, so that he had the means of knowing where Mr. Murch kept his banking account, and in what manner the checks were signed. The prisoner left Messrs. Pilditch and Murch's employ, and a short time previous to the present date, he went to the bank, and asked for a check-book. No difficulty was made in giving him the book, as it was supposed, he was still in their service. On the 10th of April, he was seen at a public-house: he took a book out of his pocket, wrote something in it, tore out the leaf, and left the house. He returned in a short time, and was then in possession of a good deal of money, and on that day, the prisoner presented a check at the bank for 30*l.* 10*s.*, purporting to be drawn by John Murch, for which he obtained payment. On the 19th of April, Mr. Murch, for the first time, saw the check, and declared it to be a forgery. Search was then made, for the prisoner in Plymouth, but

he could not be found: he was at length traced to Dublin, and the moment he saw Mr. Murch, he said, "Oh! forgive me, I did it." The check-book which had been given him at the bank, was found in the room in which the prisoner was, in Dublin. The prisoner admitted having forged checks to the amount of 100*l.* within the previous three months. The prosecutor spoke in the very highest terms of the character of the prisoner up to this time; he was the most exemplary young man he had ever known.

The learned judge having briefly summed up, the jury at once returned a verdict of *guilty*. The prosecutor then stepped forward, and with a voice choked by his sobs, begged the judge to be as merciful as he possibly could.

Mr. Justice Erskine, in addressing the prisoner, said, "You have been recommended to mercy, and my own feelings would dictate an earnest desire to save you, as a man who had hitherto borne so excellent a character, from as great a portion of the punishment as I possibly could, but I am placed here not to exercise any feelings of sympathy and compassion, but as the guardian of the public rights, and I must, as I shall answer to my God, discharge that duty firmly, however painful it may be to me. I cannot, consistently with my duty, fail to pass upon you a severe sentence, which is that you be transported for fourteen years."

— **ANTIPODEAN SPECULATIONS.** — A novel and curious scene was exhibited this day, at the rooms of the New Zealand land company. The purchasers of land in the first township of New Zealand, or their repre-

sentatives, had met to see the drawing of lots, by which the order of choice was to be determined. Persons of all ranks and professions, and both sexes, had then and there assembled to try their fortune, comprising not a few of the followers of Penn. The ladies were, perhaps, the most daring speculators; but the fact, that in the course of five weeks, 100,000*l.* had been paid by persons of all ranks, for 100,000 acres of land, lying somewhere near the antipodes, and not yet even surveyed, proves that the colonizing spirit yet lives and gains strength in Britain.

Perched on a table at one end of the room, stood a handsome boy ready to dispense the gifts of fortune from a couple of tin boxes. It was remarkable that the purchasers of many "orders" and large tracts of land were unfortunate, while they who had bargained for single sections, and the representatives of the natives, obtained priority of choice. For the first time, perhaps, in undertakings of this kind, was the welfare of the natives really regarded. The New Zealand company set aside, for the benefit of the aborigines, one-tenth of all the surveyed lands in town and country. Their portion, on this occasion, was 11,100 acres; which, the orders being already at a premium, bore the proportionate value of 12,000*l.* It is, also, worthy of mention, that their lots of land were mixed up with the white men's lots, making their chance of civilization much better than if they were banished to a "black town" on the frontiers. Whenever a good number for the natives was announced, the assembly invariably cheered.

30.—MURDER.—At the Newcastle assizes, Archibald Bolam was tried on the charge of murdering Joseph Millie, in the savings bank of Newcastle, on the 4th of December 1838. The trial commenced on the Tuesday, and occupied the whole of that day and the next. The chief circumstances were stated in our last number, and a detailed account of the trial will be found among the law cases in our present one. An immense number of minute particulars were given by the witnesses. The judge, Baron Maule, charged the jury, with the evident impression that the murder had not been proved; and in the concluding sentence of his charge, he pointed pretty plainly to a verdict of manslaughter. He left it to the jury to say, whether they were satisfied that Millie came by his death through the means stated in the indictment, and whether those injuries had been inflicted by the hand of the prisoner. If they were not, or in looking at the whole matter, they thought the facts proved were not sufficient to convince them one way or the other, they would acquit him. If they thought, that the act was done by the prisoner, but done in a sudden unpremeditated quarrel in which blows had been given on both sides, and that in the course of a scuffle so arising, the deadly weapon had been used, it would be open to them to find a verdict of manslaughter.

The jury took three hours to consider their verdict, and then found the prisoner guilty of "manslaughter."

In passing sentence baron Maule said, the jury had "arrived at a most mild and mitigated conclusion." He considered the case one of aggra-

vated manslaughter, and the sentence would be transportation for life. The prisoner, who had previously complained, that he could not hear the judge, now struck both his hands vehemently together, and said—"My Lord, I look upon that sentence as my death." He was taken from the dock amidst a burst of hisses; the general belief being, that he was guilty of murder, though we confess we cannot see grounds for this opinion.

—BANQUET AT GOLDSMITHS' HALL.—The Goldsmiths' Company gave a grand complimentary entertainment to Sir R. Peel and a distinguished assemblage of conservative statesmen and nobility. Covers were laid for 109, among whom was his royal highness the duke of Cambridge.

In returning thanks for the proposal of his health Sir Robert Peel said, he should have been deeply sensible of the honour which had been paid to him in any other society composed of an equal number of English gentlemen. But he confessed it was peculiarly acceptable when paid to him under the auspices and within the walls of so noble an establishment;—the establishment of a company venerable for its antiquity, but with still higher claims upon our respect, from the noble use it had made of its wealth, in the encouragement of education founded upon religious principles. Every one who was acquainted with the history of this company, must be aware of the example it had set with respect to the instruction of all those with whom it had any connexion by property or any other tie. It had

other claims, he would always maintain, on the public respect, from the application of its wealth to the encouragement of the genius of native artists, and the improvement of the taste of the country, as evinced by the splendid specimen of architecture it had presented to an admiring country. It must be a matter of proud reflection to that company, that it was enabled to associate within their walls the most eminent representatives of almost every profession, in every department of art and science of which this country could boast.

On the Bishop of London's health being proposed, his lordship in returning thanks, bore his willing and thankful testimony to the Christian liberality of the Goldsmiths' Company. He spoke not of their exertions in other departments of charity; but he spoke with feelings of deep gratitude of the assistance which they had given him in promoting a most important plan he had laid before the public, for supplying the spiritual destitution which existed in many parts of this great city and the suburbs. To the great companies of the city of London, but pre-eminently to the Goldsmiths' Company, he held himself peculiarly indebted, not only for providing sites, but also contributing liberally from their resources for the promotion of the great object he had in view. That was sufficient to sanctify, and render legitimate, and appropriate, a display of splendid hospitality, which, under other circumstances, unless sanctified by the fruits of charity, so far from deserving commendation, would rather become the subject of reproof.

Various other healths were drank, and the company retired shortly after midnight.

The band of the coldstream guards were in attendance, and everything, under the able superintendence of Mr. P. Hardwick, went off with the most perfect satisfaction.

— MORE CHARTIST RIOTING.—

Another disturbance broke out in Newcastle on Tuesday night the 30th. The mayor had refused to summon a public meeting in compliance with a chartist requisition and, it was rumoured, that the people were nevertheless resolved to hold a meeting. A large number of special constables were sworn in, and it was hoped, that the known determination of the mayor and magistrates to suppress disturbances would have deterred the chartists from assembling. But about seven o'clock in the evening, they began to collect in considerable numbers in various parts of the town. They paraded the streets with banners, and were soon reinforced by a large party from Gateshead. The mayor and Dr. Headlam rode about the town exhorting the crowds to disperse; but they refused. The mayor then directed the police, who were armed with cutlasses, to seize the banners and disperse the populace. A battle immediately commenced. Brickbats, stones and other instruments of civic warfare, were to be seen flying about in unusual abundance. In the course of the battle, the mayor despatched a messenger for the military, who were not long in making their appearance. Prior to this, however, many of the combatants exhibited woful proofs of having come off second-best. Some of the police,

too, received severe blows and bruises from the brickbats which were thrown at them. One of the banner-bearers having stoutly defended his colours, was stabbed, near the groin, as was reported by one of the policemen. The rioters fled in all directions before the soldiers.

31. A riot broke out in Stockport on the Wednesday following. The chartists were excited by the arrest of several of their leaders, and the seizure of a large quantity of arms. Men for whose discovery rewards had been offered, were found concealed in Stockport. The mob seized a quantity of arms sent from the Tower. A party of dragoons recovered them. The mob tried, unsuccessfully, to regain the arms and to rescue the prisoners. Towards nightfall, the streets were cleared by the dragoons, and all was quiet on Thursday. It does not appear, that anybody was killed, though many were seriously hurt.

AUGUST.

1. NEW WAY OF PAYING CHURCH-RATES.—Mr. Osborne, a dissenter of Tewkesbury, having declined to pay church-rates, declaring that he could not conscientiously do so, a sergeant and two officers of the police went to his house for the purpose of levying under a distress warrant to the amount due from him. The officers were asked to sit down, which they did, when Mr. Osborne went into his garden, procured a hive of bees, and threw it into the middle of the chamber. The officers were, of course, obliged to retreat, but they secured enough of the property to pay the rate and the costs of the

levy, besides which they obtained a warrant against Mr. Osborne, who would most likely pay dearly for his new and *conscientious* method of settling church-rate accounts.

2. CHARTIST TRIALS.—Henry Vincent, with W. Edmonds, W. A. Townsend, and John Dickenson, all chartist leaders, were tried at Monmouth for sedition. The chief witness against the prisoners was Mr. Phillips, mayor of Newport. Mr. Sergeant Talfourd appeared for the prosecution; Mr. Roebuck defended Vincent, and his speech is said to have been very able. All the prisoners were found *guilty*. Vincent was sentenced to a year's imprisonment, Edwards to nine months, Dickenson and Townsend to six months each.

The trial of five persons charged with burning houses at Birmingham commenced on Saturday, the 3rd inst, at Warwick. A verdict of *guilty* was returned against four of the prisoners—Howell, Jones, Aston, Roberts; Wilkes, the fifth, was acquitted. John Collins, the well-known delegate, was then charged with writing a seditious libel on the London police force. The authorship of the libel—the resolutions adopted by the convention at Birmingham after the riots in the Bull-ring—was brought home to the prisoner. Mr. Scholefield, mayor of Birmingham, and another witness, gave Collins a good character. He was found *guilty*, but recommended to mercy.

The trial of William Lovett, secretary to the national convention, took place on the Tuesday following. The attorney-general, seeing that Mr. Lovett intended to manage his own defence, suggested that he should leave the bar and take his place at the table, which

offer the prisoner at once accepted with thanks. He was charged with the same offence as Collins, publishing the resolutions passed by the convention at Birmingham. He objected to two of the jurymen, who, he said, had expressed a wish that all the chartists should be hanged. The attorney-general said, that as Mr. Lovett was only charged with a misdemeanour, he had no right to challenge the jurymen, unless he could prove the charge against them.

The evidence for the prosecution being concluded, Mr. Justice Littledale objected that there was no direct evidence of publication. His lordship asked, "How do I know that Mr. Lovett gave any authority to print this placard? It might have been taken by a third party out of his drawer and printed, for anything we know to the contrary." Mr. Bagny contended, in reply, that where a libel was proved to have been 'in the handwriting of the party charged, and the same libel was afterwards proved to have been published, it was *prima facie* proof of publication, and threw upon the defendant the burden of proving that he was not an assenting party to the publication. Mr. Justice Littledale, having referred to the authorities, said that, on looking at them altogether, he thought there was sufficient evidence to leave the question to the jury.

Mr. Lovett then addressed the jury at great length and with much ability: he was throughout respectful to the court and jury, though earnest in his language. His two main points were, that the people had a right to meet for the purpose of petitioning and protesting against bad laws and institutions, and that at Birmingham the people

were quiet and orderly till the London police attacked them. He disclaimed participation with those chartists who waged war against property, and assured the court that physical-force men were only a minority among the chartists. He maintained that the resolutions contained nothing untrue, and that malice could not be fairly imputed to him. Mr. Lovett called several witnesses, but they failed in proving the police to have been the aggressors, though they accused them of acting with great brutality. Mr. Balguy, in his reply, complimented Mr. Lovett on the ability and the good taste displayed in his defence. Judge Littledale charged the jury, who, at a late hour, brought in a verdict of *guilty*.

On the Thursday following the prisoners were brought up for sentence. Jeremiah Howell, Francis Roberts, and John Jones, convicted of burning houses, were sentenced to death; but their sentence was afterwards commuted. Aston was ordered to be set at liberty on finding sureties for good behaviour. William Lovett and John Collins were each sentenced to twelve months imprisonment. Mr. Justice Littledale observed that Collins had been recommended to mercy by the jury, and Lovett had not; but he saw no difference in their cases, and should make no difference in their punishment. Collins said, when, in the year 1821, George Edmonds and Thomas Jonathan Wooler were sentenced for a like offence, they were confined on the debtors' side of the prison; and he prayed for the like indulgence for Lovett and himself. Judge Littledale said, he had no power in the matter, and that application must be made to the secretary for the home depart-

ment. The other prisoners were sentenced to terms of confinement varying from one to eighteen months.

At the same assizes, seven men were charged with rioting at Birmingham on the 4th of July. They all pleaded *guilty*: one, by name Salter, was recommended to mercy by Mr. Balguy. John Taylor, commonly called Dr. Taylor, was charged with rioting; but Mr. Balguy declined to offer evidence against him, and he was discharged.

— RIGHT OF PRESENTATION.—The Court of Common Pleas decided that where a living has two patrons, one a protestant and the other a Roman catholic, the living shall remain only in the gift of the protestant: the bishop of Exeter by this decision acquired the right of presentation to the living of Combepeyne, Mr. Edwards, the other patron, being a catholic.

3. EMBEZZLEMENT.—In the Crown court, Bodmin, Felix Lovell, a clerk in her majesty's customs, was charged with embezzling 300 sovereigns and divers bills of exchange belonging to her majesty.

The first witness called was Thomas Hearle, comptroller of the customs at Falmouth. He deposed as follows:—Up to December last the prisoner was chief clerk, and it was his duty to receive and pay money. Part of the money was generally sent to the bank, and the rest in a chest called the queen's chest. To that chest there is, besides the lock, a padlock, of which I keep the key, and the other key was kept by the prisoner. At the close of the day we made up the money with his balance-book, and then I signed the book, and put on my lock for the night. On the 8th of December there was a balance of 1,304*l.*; 885*l.* 2*s.* 2*d.*

of which was in the bank, and the remainder was in the chest. The prisoner counted these sums in my presence. The money in the chest was partly gold, silver, checks, and local notes. There were five checks there; one for 100*l.* drawn by Broad and Co. I have no doubt the checks now produced are the same. About half-past two on Saturday, the 8th of December, I put my lock on the chest. I had made arrangements to be absent on the Monday, and I gave my key to Lutil to give to Barnaby, the second clerk. On Tuesday, the 11th, I returned to the office. The prisoner was gone. We broke open his desk, and got the key of the queen's chest, and we examined the contents, and found 20*l.* 15*s.* 6*d.* in three 5*l.* notes, and the rest in gold and silver.

Samuel John Lutil, a clerk in the Custom-house, at Falmouth, deposed that he received the check for 100*l.* from Messrs. Broads on the 1st of December, and gave it the prisoner. He received also four other checks, and paid them to the prisoner between the 3d and the 8th of December, and the prisoner gave him credit for them in his cash balance book. When the queen's chest was opened, on the 11th of December, those checks were not in the chest as they ought to have been.

Richard Barnaby, second clerk to the comptroller. I received the key of the chest from the last witness on the Monday. The prisoner was then in the office, and had access to the chest during the whole day. In the afternoon I took the prisoner all the money I had received that day. After the prisoner had locked the chest, I saw three 5*l.* notes on his desk, to

which I called his attention. He said, "Oh, that's an oversight." I proposed putting them in, and we opened the chest and deposited them. Those three notes and the money I had paid in (5*l.* odd) were in the chest on the Tuesday morning, but nothing else. No account was made of the money received on that Monday, according to the usual course when the comptroller was out of the way.

John Hallamore, clerk in the Cornish Naval Bank.—The prisoner came to the bank on Monday the 10th of December. I cashed for him this check for 100*l.* drawn by Broad and Sons. He said he wished the amount in Bank of England notes and sovereigns, as he wanted it for a person who was going away. The other four checks were brought from the Western District Bank on the same day, in exchange for others.

Samuel Richards, clerk in the Western District Bank.—The prisoner came to our bank to have four checks cashed on the 10th of December. I gave him cash for them.

Charles Alexander Williams, a bookkeeper at Pearce's Hotel at Falmouth.—The prisoner came to the office about six o'clock, and applied for the particulars of the mails to London. He took a place in the name of Mr. Harlaud. I asked him whether the place was for himself, and he said the party for whom it was taken would be at the mail at the time it started. The prisoner got into the mail as it started.

John Dobson.—I am a tide surveyor at Falmouth. The prisoner and his wife lived in the same house with me. On the 13th of December I received this en-

velope. It is addressed to me, and contained a parcel addressed to Mrs. Lovell in the prisoner's writing. I took the parcel to Mrs. Lovell, and saw her open it. It contained ten 5*l*. notes, which she gave to me. There was no writing in the letter.

Wm. Terry, a serjeant of police at Southampton. I went to Tanglely with John Lyall. We found the prisoner in bed at the Five Bells public-house, which the prisoner kept in the name of James Carter. I told him I arrested him in the queen's name, for a robbery of the Custom-house at Falmouth. He said, "Oh, you're come at last, are you; I've been expecting you some time." This was on the 21st of May. Tanglely is thirty-four miles from Southampton, on the borders of Berkshire and Wiltshire.

John Lyall said he was with Terry when the prisoner was taken. In the absence of Terry, prisoner told me if I had been forty-eight hours later we should not have caught him, as he should have been off. He said he had been looking if a reward was offered for his apprehension, and at last he had found it. I searched the house and found some keys, which he said belong to the Custom-house, and that he ought to have thrown them away. I showed him this receipt, and he said the money was all paid with the exception of 15*l*., for which he had given a bill. It was a receipt for 87*l*. odd for the household goods, &c., of the Five Bells, at Tanglely; it was dated the 6th of April.

Mr. Justice Coleridge having summed up the case,

The jury found the prisoner *guilty*, but recommended him most strongly to mercy.

The learned judge regretted that he could not pay any attention to their recommendation. The present case was so perfectly free from doubt, that for the sake of the public generally, he was bound to make an example of the prisoner, and he therefore must sentence him to fourteen years' transportation.

The prisoner, who it was said was very respectably connected, had been in the Custom-house for twenty years.

3. INQUEST.—A coroner's inquest was held in Newgate, before Mr. Payne, on view of the body of John Standard Dalrymple, aged thirty-eight years. It appeared in evidence that the deceased was committed to the above prison from Bow-street police office on the 31st of July previous, charged with having forged certain documents, by which he had feloniously obtained various sums of money due as prize-money from the commissioners of Chelsea Hospital. Mr. M'Murdo, surgeon to the prison, stated that he saw the deceased immediately after his committal. He was dangerously ill, and could scarcely either stand or breathe. He was, in fact, in a dying condition. His disease was water in the chest, and of very long standing. He was taken to the infirmary, where he was properly treated, and was regularly attended by the medical officers of the prison until he expired. Although he could not, under any circumstances, have survived many days, yet the agitation of mind occasioned by his committal to prison had, no doubt, accelerated his death. The coroner inquired whether any one had offered to bail the deceased? A gentleman stated in reply, that he had offered to put

in bail to any amount, but that the committing magistrate had refused to accept it, saying that he could not admit to bail a prisoner charged with felony. Verdict—"Natural Death; but the jury regret that the deceased should have been committed to prison in the state of health in which he was."

— PROFITS OF MENDICANTS.—

In an assault case, heard this week at Hatton-garden, in which complainant and defendant were sturdy female beggars, it came out that one of them was formerly in the habit of making 12s. a day by her vocation, but that since she had got twins to exhibit, her income had daily reached 1l.

— MANCHESTER—COMMITTAL OF THE REV. MR. JACKSON, AND FOUR OTHERS, FOR SEDITION.— This morning, in consequence of instructions from the government, five of the Chartist spouters at meetings were apprehended at an early hour, pursuant to warrants granted by the mayor and the magistrates. The parties arrested were Smith, a shoemaker, William Tillman, secretary to the Manchester political union, Joseph Linney, a dissenting minister named Jackson, and Christopher Doyle. Various papers and one gun, belonging to Smith, was also removed by the police.

The prisoners were brought up at the borough-court for examination. They were charged with having, on several occasions, attended large and tumultuous meetings, and used language calculated to incite the people to disaffection.

The charge being proved by the evidence of competent witnesses, Mr. Jackson was held to bail to appear at the next Liverpool

assizes, himself in 300l., and two sureties of 150l. each; and Smith, Tillman, Linney, and Doyle, themselves each in 150l., and two sureties of 75l. each.

Tillman said, that he thought the bail was too high, and that if they had done wrong they were not to blame; he said they were but poor, illiterate men; and they had only followed the course which the parties who were now in power had recommended the people to adopt, to displace the duke of Wellington, when he held the government of the country. The very men who were now in power had advised them to get arms to carry the reform bill.

4. EVENING MEETING OF THE CHARTISTS AT MANCHESTER.—On Sunday night, a meeting of the Chartists was held in Stevenson's Square; a Mr. Bates in the chair. The professed object was to ascertain the opinions of the people as to whether the "sacred month" should commence on the 12th of August or not. The real object, however, appears to have been, to follow up the agitation caused by the arrest of a number of agitators in Cheshire and Lancashire, and to get up a sympathising mob in their favour. They succeeded in obtaining an immense mob, which completely filled the square, the number being about 5,000.

The first resolution, which was moved by a Mr. Butterworth, was to the effect that the people should use every means to protect their liberties, and at the same time they should support the authorities. In moving this resolution, the speaker said, he considered that the chartists of 1839 were the whigs of 1832, and the whigs of 1839 were the tories of 1832.

The whigs of 1832 had been more violent in their conduct than the chartists now were, and yet the whigs were the very men who now punished the chartists.

A Mr. Benbow, of agitating notoriety, also made a long speech, and concluded by moving a resolution to the effect, that if the "national convention" should recommend the "national holiday" to commence on the 12th of August, they would support the proposition to a man. The resolution was carried *nem. con.* A number of other agitators subsequently addressed the meeting in language calculated to excite, after which the meeting separated in divisions, each marching to their respective districts. During the meeting, persons in the crowd continued to discharge fire-arms. The great force of the military in the neighbourhood prevented any attempt at disturbance, and the mob contented themselves with expressing their disapprobation of every respectable housekeeping establishment by loud groans as they passed through the streets.

It may be as well here to mention, that in consequence of the intimidation of tradesmen and others by the chartists, who compelled them to subscribe to the National Defence fund, on pain of chartist penalties, the Home Office was petitioned, and lord John Russell sent a letter, of which the following is a copy, to the magistrates of Manchester and the neighbourhood:—

"Whitehall, July, 31.

"Gentlemen, — Having been informed that in some parts of the kingdom attempts have lately been made to obtain money from shopkeepers, householders, and others, by means of intimidation (as by

threatening them with personal danger, or with loss of business, or threatening to mark them down and report them as enemies, and by various other illegal means), and that persons have been combining and endeavouring to injure shopkeepers, householders, and others, in their lawful business, representing them as enemies to the people, and persuading others to leave off trading with them, thereby to prejudice them in their business; having been also informed, that persons, in pursuance of an illegal combination, have gone about among the working classes of the people, exciting and endeavouring to persuade them to desist from working, and to desert their employers; I deem it to be my duty to call upon the magistrates to use their utmost endeavours to repress and put down such mischievous practices, which are contrary to law, injurious to trade, subversive of good order, and dangerous to the peace of the country; and to apprehend and bring the offenders to justice. I advise the magistrates to proceed against persons guilty of such illegal practices, as for a misdemeanour. In case also persons should assemble, and go about in numbers to deter others of the working classes from pursuing their lawful business, or creating terror and alarm, I advise the magistrates to repress all such unlawful proceedings, and to bring the offenders to justice. The magistrates may be assured, that in the discharge of this and every other their duty, they will be promptly and efficiently supported by her Majesty's Government. I feel confident that her Majesty's loyal and well disposed subjects will, on their part, be ready at all times to give

prompt and effectual assistance to magistrates, in their endeavours to preserve the public peace. I have the honour to be, gentlemen, your obedient servant,

"J. RUSSELL."

6. **SERIOUS MAIL COACH ACCIDENT.**—On the arrival of the Falmouth Mail at Bodmin, on Tuesday night, many persons, as is usual at the assizes, were waiting to proceed by it to Exeter, and four inside and three outside passengers were taken up there. The coach was driven by a man who was not the regular coachman, but was considered to be an experienced and sober man. The guard was a young man who had been but recently placed upon that station, and was not very well accustomed to the road. After proceeding a short distance, the passengers perceived that the coachman was very much intoxicated, and they insisted that he should not drive the coach further, and accordingly the guard took the reins, and the coachman took his seat behind. Shortly before reaching the Jamaica-inn, situate on Bodmin Moors, and ten miles from that town, there is a very steep descent with a sharp turn at the bottom of the hill, and then a steep ascent up to the inn, where the coach changes horses; and its proper time of arrival is about twelve o'clock. The people at the public house were alarmed by several horses galloping up to the door and then stopping, and upon going out they discovered they were the mail horses, but with scarcely a bit of harness upon them. It appears that the guard intended to drag the wheel down the hill, but the night being very dark and wet, and not well knowing the road, he had got beyond the brow of

the hill before he was aware of it; he endeavoured to pull up, and it is believed that the coachman got down to tie the wheel, but that he was too tipsy, and fell down. The coach then proceeded down the hill at a most frightful pace; being heavily laden, it rocked from side to side, and on getting to the turn over it went with the most dreadful crash. The horses, fortunately, at once broke away. All the passengers were, more or less, stunned. In a short time, however, the inside passengers got out, and upon looking about they found those who had been outside were considerably injured, and with some difficulty they were got up to the Jamaica-inn. The situation was lonely in the extreme, being ten miles from Bodmin, and twelve miles and a half from Launceston. A messenger was dispatched to the latter place, and the mail contractor, with the utmost speed, caused a post-chaise and a fly, containing a surgeon and his assistant, to be dispatched to their assistance. Of the passengers none was killed, but all those of the outside were more or less seriously injured with fractured ribs and bones.

— **THE KENTISH RIOTERS.**—About this time, Foad, Foreman, Griggs, and Wright were released from Maidstone Jail, where they had been imprisoned for their share in the lamentable Courtenay riots at Boughton-on-the-Hill. They signed and published a declaration expressive of their regret for their folly and delusion in that unfortunate affair, and acknowledging the justice of their sentence and punishment.

— **SUICIDE OF MR. CHADBORN OF GLOUCESTER.**—This gentleman was one of the executors

named in the testamentary papers of the late James Wood, the wealthy and eccentric banker, against the validity of which, judgment was given by Sir H. Jenner, a short time previous. He was found hanging in his coachhouse quite dead, shortly after eight o'clock in the morning. It appeared on the coroner's inquest, that he got up at five o'clock and asked his servants for the key of the garden. He was then observed to go into the garden without his hat. The medical man who was examined, stated, that life must have been extinct about half an hour before the body was found. The clerks of the deceased stated, that he had been in a very low and desponding way for some months, and the jury ultimately found a verdict of "temporary insanity."

6. EXECUTION — ATHENS. — A scene, which appears to have excited much sensation, occurred at Athens, at the commencement of this month. The public executioner of Lomia had been sent for expressly to execute two brigands, who had been condemned to death; and so great is the horror of that functionary in Athens, that although the government had taken the precaution to surround him with gendarmes for his security, he fell a victim to assassination previously to the intended execution. The government was much embarrassed for want of an executioner; when a person, who pretended to understand the working of the guillotine, which was, on this occasion, to be used for the first time in Greece, as a substitute for decapitation by the sword, made an offer of his services. When the criminals were taken from the carriage in which they

had been conveyed to the spot of execution, it was found that no locksmith or tool had been provided for releasing them from their chains, and a considerable time elapsed in breaking the padlock with stones, an immense crowd testifying its indignation at the torture of delay, which was thus inflicted upon them. The first victim having ascended the scaffold, it was found that the executioner was not only ignorant of the mode of using the guillotine, but that he was in a state of high nervous excitement. Mustering courage, at length he commenced his operations, but without success. The knife fell before the head was introduced. The criminal then entreated the troops to fire upon him; and the executioner, finding himself unable to perform the duty which he had undertaken, gave it up in despair. No magistrate, or other law officer, being present to decide the course which was to be adopted, an adjutant set off at full gallop to Athens for orders. An hour and a half of cruel suspense occurred; when at length a detachment of horse, preceded by a white flag, arrived, and a shout was raised that the king had pardoned the offenders. This being found to be true, the criminals kissed the crucifix; the women who were present wept with joy; and the multitude rent the air with cries of "glory to God and the king!" Every one praised this termination of a scene of such painful negligence, and the crowds returned home, blessing their sovereign.

6. RAILWAY ACCIDENTS. — By the negligence of one of the men employed on the London and Birmingham railway, a serious

accident occurred about this time. The man had omitted to put the rails in the right position at a crossing-place, and one of the morning trains of four carriages from London was thrown off the line, near the Beechwood tunnel. Three of the carriages were broken to pieces, and five passengers severely injured: one of them, a Mr. Kinnerley, of Islington, dangerously.

One of the time-keepers on the Eastern counties railway lost his life this week. When the train left Romford station at night, he got upon the tender, intending to jump off after he had gone a short distance, this he attempted to do, about half a mile up the line, but his foot slipped, and he fell against one of the carriage steps, when the train passed over him, and he was instantly killed.

A third accident also occurred near Maidenhead. A man who worked as a sawyer at that place, went with his brother to see the Great Western train pass by. They fell asleep on the embankment till aroused by the approach of the train, when the sawyer, instead of moving off the line, went further on it, so that his head was caught by one of the carriage steps, and being thrown under the train, he was almost instantly killed.

6. SUICIDE. — A melancholy event took place at the deanery, Wolverhampton. The rev. John Clare's health and spirits had suffered a severe shock two years before, owing to the massacre of one of his sons, who was one of the crew of the Charles Heaton, whose fate it was to be murdered by savages, at the Torres Straits, and afterwards to be devoured by those cannibals. Mr. Clare never

rallied after receiving that afflicting intelligence. He had for a long period been in the commission of the peace, and presided as deputy chairman at the quarter sessions for Staffordshire upwards of twenty years. He attended at the public office at Wolverhampton in the course of the day, and was found the next morning suspended in the kitchen, and quite dead.

— CORONER'S INQUEST. — An inquest was held at Harefield, near Uxbridge, on the corpse of Moses Yates, a seller of fish, who was stabbed with a knife in the abdomen, by George Coker, a lad of fifteen. The parties quarrelled about the sale of some salmon. A verdict of "wilful murder" was returned; and Mr. Wakley, the coroner, bound Atkins, the constable of Harefield, to take the prisoner early next morning to Newgate. Coker had been previously taken before the magistrates, in petty sessions, at Uxbridge, but was remanded till the result of the inquest was known. Mr. Wakley said he was resolved that the magistrates should not have an opportunity of superseding the coroner's committal, as they had done in the case of Medhurst, whom they committed for manslaughter after the coroner's jury had found a verdict of wilful murder. The following day, the Uxbridge magistrates called upon the constable to produce Coker, and were very indignant on learning that he was in the custody of the governor of Newgate, not that of their constable. Between the two authorities, the constable was puzzled how to act.

The following was the most material part of the evidence, on which the above verdict was given.

Edwin Cliffe, stone-mason, examined. About half-past 9 o'clock in the evening of Saturday, the 3d instant, I was standing by a post in front of the Cricketers public-house. I saw the deceased standing under the sign-post weighing some pickled salmon for the prisoner, behind his stall. I heard the deceased say to the prisoner, that there were seven ounces, and it would come to 7d. To this the latter replied, "Go to hell with you, who do you think is going to give you 1d. an ounce for salmon!" I then heard the deceased say, "Why do you come for salmon and then not have it, after it is cut for you!" To this the prisoner replied, that he would not have it at all, and threw the salmon back into the deceased's kit. At this the deceased became vexed, and gave the boy a smartish slap on the face with his open hand. The latter ran away backwards two or three yards, and said, "You b—r, if you hit me again, you shall have something for it." The prisoner, in about a minute and a half afterwards, went behind the deceased's stall into the road, and began calling him a variety of ill names, and dared him to come and hit him again, saying, "If you do hit me again, you shall have something for it. I shan't run." The deceased went towards the prisoner, who ran backwards a few yards, waving his hand as if to strike a blow or protect himself from one. I did not see at the time that he had any weapon in his hand. On arriving near the middle of the road the prisoner made a furious rush towards the deceased, and called out, "Now you've got it." I saw the deceased for an instant stagger forward, but he immediately turned round

towards his stall with his hand to his stomach, and in a stooping position, and exclaimed, "Oh, look here, he's stabbed me, he's run a dagger in me!" pointing to his stomach. I looked to the place where he said he had been stabbed. The blood was running profusely through his clothes, and he was taken away by two persons to the surgeon. The prisoner made off towards the cricket-ground.

The prisoner interposed here his assertion, that the deceased both hit and kicked him in the back two or three times, and stated that if "Nat. Haustead" was called he would prove it.

Nathaniel Haustead, a labourer, was accordingly examined, and concurred with the other witnesses as to the origin of the occurrence; but differed materially as to the latter part of it. He swore, that on the boy, Coker refusing to have the salmon, the deceased ran after him several yards, and struck him on the head two or three violent blows, which made him stagger against the wall of one of the houses, and that on the boy's return and threatening "to give the deceased something for himself," the latter ran after him, and having caught him by the collar, struck him two or three times.

The coroner remarked, that this testimony was of a conflicting nature, as other witnesses had sworn that on the return of the boy, the deceased did not strike or speak to him.

The witness, although strictly cross-examined, persisted in his statement. On the other hand,

Benjamin Somerville corroborated the evidence of the two first witnesses, and denied positively that the deceased struck the pri-

soner when he returned a second time.

Coker was found guilty of manslaughter, when tried at the Central Criminal court, on the 15th of the same month. He was sentenced to transportation for life; although, in the recent and similar case of Medhurst, the sentence was only three years' imprisonment, without hard labour. The disparity of the punishment assigned to these two offenders, occasioned much remark, and a memorial was presented to the home secretary, praying for a commutation of punishment. The jury unanimously signed this petition.

Lord John Russell in reply, declined to make any immediate alteration in the sentence; but intimated, that should Coker's behaviour at the colonies be satisfactory, his term of exile might perhaps be shortened.

12. THE NATIONAL CONVENTION.—The delegates of this society, assembled at the Arundel coffee-house, in the Strand, a few days previous to the present date, agreed to the following resolutions:—

“THE SACRED MONTH.

“Resolved, That from the evidence which has reached this council from various parts of the country, we are unanimously of opinion, that the people are not prepared to carry out the ‘sacred month’ on the 12th of August. The same evidence, however, convinces us that the great body of the working people, including most of the trades, may be induced to cease work on the 12th inst., for two or three days, in order to devote the whole of that time to solemn processions and solemn meetings, for deliberating

on the present awful state of the country, and devising the best means of averting the hideous despotism with which the industrious orders are menaced by the murderous majority of the upper and middle classes, who prey upon their labours. We at the same time beg to announce to the country, that it is the deliberate opinion of this council, that unless the trades of Great Britain shall co-operate, as united bodies, with their more distressed brethren in making a grand national and moral demonstration on the 12th instant, it will be impossible to save the country from a revolution of blood, which, after enormous sacrifices of life and property, will terminate in the utter subjection of the whole of the working people to the monied murderers of society. Under these circumstances, we implore all our brother Chartists to abandon the project of a ‘sacred month,’ as being for the present utterly impracticable, and to prepare themselves forthwith to carry into effect, the aforesaid constitutional objects on the 12th instant. We also implore the united trades, if they would save the country from convulsion, and themselves and family from ruin, to render their distressed brethren all the aid in their power, on or before the 12th inst., towards realizing the great and beneficial object of this holyday. Men of the trades! the salvation of the empire is in your hands.”

The “sacred month” resolution was moved by Mr. Bronterre O’Brien, and seconded by Mr. Feargus O’Connor.

Large posting-bills, containing these resolutions were placarded about Manchester and other towns in the north of England, and were

pretty generally responded to, though not quite in the deliberate and "solemn" manner enjoined.

"NATIONAL HOLYDAY."—Riots occurred in various places during the first three days of the week, thus appointed for abstinence from labour and "solemn processions."

At Manchester a considerable number of people assembled in the fields, between Hulme and Chorlton-on-Medlock; and, after a short time, moved into Medlock-street, where they surrounded the premises of Messrs. Owen and Hartley, dyers, and insisted on the workmen being turned out. As this demand was backed by a force of several hundred men and boys, the workmen were permitted to leave the premises; and the rioters, after giving a loud shout in token of triumph, proceeded to the factory of Mr. Paul Chappé, and afterwards to the mill of Messrs. James Massey and Son, of Gaythorn, where also they succeeded in turning out the hands; and then crossing the canal, they proceeded to Marsden's mill, in Trumpet-street, where they required the immediate stoppage of the engine, under a threat of breaking the windows if their demand was refused. As the manager refused to turn out the hands, some of the mob endeavoured to force their way into the yard; but before they could effect their purpose, a strong body of police, under the command of Mr. Beswick, the chief constable, came suddenly upon them. As soon as Mr. Beswick saw what was going on, he galloped to the spot; and, springing from his horse, seized two young men, who on his approach dropped from the yard-wall; and other officers coming up, they were secured after a short resistance. The mob then

began to throw stones at the police; on which the latter charged them vigorously with their sticks, and a very short struggle ensued; in the course of which, one of the police was stabbed, just above the knee, with a dagger; but the wound was not serious. Meanwhile, the main body of the mob was entirely routed. Indeed, very few of them waited the onset of the police, but ran in all directions, tumbling over each other in their flight. Similar disturbances were suppressed by activity of the police in other parts of Manchester; and twenty-one prisoners were taken. At Salford, Heywood, Macclesfield, Bolton, Nottingham, Sheffield, and Rochdale, the Chartists committed similar outrages, and were in the same manner put down by soldiers and policemen. Apprehensions were likewise entertained of serious disturbances at Chester. Five hundred special constables were sworn in, and the garrison held in readiness to suppress rioting, but none occurred; and the worthy citizens were beginning to feel at ease, when intelligence was received of the seizure of a large quantity of arms at the little port of Ellesmere, near Chester. It appeared that since the disturbances, the boats from Birmingham had landed there 272 heavy packing-cases, which were warehoused a few days. They had no directions upon them, nor marks, with the exception of the letter B; and by some means or another it came to be known that they contained arms; and on opening the cases, it was found that each contained twenty guns and bayonets, with flints fixed ready for use. As it was not known to the carriers to whom they belonged, a communication was made to Mr. Case, a

magistrate of the neighbourhood; who immediately ordered them to be re-shipped, and sent to the port of Chester, for greater security. On their arrival at Chester, the carriers refused to receive them, but sent information to the clerk of the peace; who consulted the authorities, and it was deemed advisable that the same should be seized. The infantry were accordingly despatched to the wharfs with waggons; and shortly afterwards, the wholesale seizure was lodged in the armoury of Chester castle. It still remained a mystery as to whom they belonged, some persons however surmised, that they were secretly sent down by the government for the purpose of arming the middle classes, pursuant to the letter of recommendation of lord John Russell to the lords-lieutenant of counties.

At Birmingham, perfect tranquillity prevailed both on Monday and Tuesday. The town-council met on the former day, when the following reply from lord John Russell to the council's memorial against the continuance of the London police in Birmingham was read:

Whitehall, August 9.

"Sir—I am directed by lord John Russell to acknowledge the receipt of your letter of the 8th instant, transmitting a memorial (addressed 'To the lords commissioners of her majesty's treasury') from the town-council of the borough of Birmingham, on the subject of the metropolitan police now at Birmingham; and to acquaint you, that lord John Russell is of opinion that the adoption of the resolutions by the town-council is highly imprudent.

"I am, Sir, your obedient servant,
"S. M. PHILLIPS."
"*To the Mayor of Birmingham.*"

This reply excited much disapprobation; and a petition to the House of Lords, praying their lordships to reject the Birmingham police bill, was unanimously adopted.

— METROPOLITAN CHARTIST DEMONSTRATION.—A public demonstration of chartists took place on Kennington-common, for the purpose of agreeing to a memorial to the sovereign, praying for a remission of the sentence of death passed the week before upon three of the Birmingham rioters. A portion of the body assembled on the common about eleven o'clock, and, after having marshalled themselves, walked in procession to Lincoln's-inn-fields, where they were met by several thousands of chartists from other districts in and about the metropolis. The whole force then marched back in order to Kennington-common, where they were addressed by Mr. Feargus O'Connor, the chairman, Mr. W. Carpenter, Messrs. Cardo, O'Brien, Hare (of Newcastle), Dr. Taylor, and Dr. Johnson. A series of resolutions were moved by these parties, to the effect "that this meeting hereby pledges itself to the principles of the 'People's Charter,' and declares that it will never cease to use its efforts until that charter shall have become the law of the land; that an humble address be presented to the queen, praying that her majesty will be graciously pleased to remit the punishment of death, ordered to be visited upon the three men of Birmingham at the Warwick assizes: that this meeting has seen with considerable regret the unconstitutional conduct of various local authorities at the instigation of the government in dispersing

peaceably conducted meetings convened for the purpose of discussing the rights and privileges of the people, and imprisoning others who have taken part in the same; and that an address to her majesty be presented, praying the dismissal from her councils of those men who have shown themselves hostile to the constitutional rights of the people, and whose conduct is furthermore calculated to produce all the dreadful consequences of a bloody revolution." The resolutions were adopted by the meeting. At one period of the day there might, probably, have been as many as 10,000 men, women, and children present.

— OATH OF AN OWENITE INADMISSIBLE.—In the Lancaster Insolvent Debtors court, George Connard was brought up to take the oath required by law before his release. Connard, who was said to be a man of good moral character, professed to be an Owenite, and not to believe in a future state of punishment. Mr. Reynolds, the commissioner, had refused to allow him to be sworn on a previous day, on account of his religious opinions; and when he was brought up on Monday, asked if he had any thing to say then? Connard replied—

"The starving condition of my family, the unhappiness of my wife, and the misery I have experienced in gaol, convinces me that the denial of belief in a future state of punishment places me in a very dangerous position. It has caused some doubt to arise in my mind; so that, in consequence of that doubt, I would rather yield to the safer side of the question, in order, if possible, to obtain the benefit of the laws of my country, which I have never yet received. I was not

aware that my belief or my religious opinions would be questioned in court."

The commissioner said that declaration would not do; he went on to show that the oath of a man who did not believe in a future state could not be received. The statement just made by the insolvent he considered an evasion. The insolvent having said he had nothing to add to his statement, the order for hearing was dismissed, and the debtor remanded to confinement.

— MURDER.—At the Lancaster assizes James Lacky and Julia Lacky, his wife, were indicted for the murder of Michael Donoghue, at Preston, in the previous November.

It appeared, that on the evening in question, about seven o'clock, the deceased was in the house of the prisoners, where he lodged. He was a gangster on the railway—that is, he contracted to do a certain portion of the work, and employed men under him, whom he paid. He had on this evening received a month's pay, and some of the men whom he employed were in attendance to receive their wages. He asked Mrs. Lacky for his account at the shop for goods supplied to him and his men. She produced an account, but it was not satisfactory, and he insisted upon having the particulars and the dates. Words ran high, and Michael Lacky, the prisoner's brother, went out and returned with fourteen or fifteen men from the works in the North-road. Mrs. Lacky then repeated her demand for the money, and on the deceased refusing except on the terms he had previously stated, she said she would have his life. The doors were then closed, and she first

struck the deceased. He rose, and pushed her from him, when he was attacked by the prisoner James Lacky, his brothers Michael and Patrick, and one of the men from the North-road. He was repeatedly knocked down, and beaten while on the ground, screaming for mercy until he became insensible, two of his own workmen who endeavoured to save him being driven into a small lobby at the back door, from which, however, they could see all that occurred. The pockets of the deceased were then rifled by James Lacky; his wife, who during the affray had been encouraging them to "shake the money out of him," holding the candle while it was counted; and on her suggestion that he had one shilling more, further search was made, and it was found beside the deceased on the floor. Patrick Lacky, afterwards, while the deceased was lying insensible, kicked him repeatedly on the head and leaped on his belly, until, alarmed by the cries of the crowd, who opened the window and were trying to get in at the door, the back entrance was opened, and all the parties fled, leaving the deceased apparently dead. On being found by the constable, it appeared that life was quite extinct, and on a *post mortem* examination it was found that the immediate cause of the death was an effusion of blood on the brain, about a pint having escaped from the vessels. There was a severe cut on the left temple inflicted apparently by a knife, and several bruises on the back part of the head. There were also finger marks upon the throat.

The jury returned a verdict of *manslaughter* against both prisoners, and Mr. Justice Coltman, with a very solemn admonition,

sentenced them to transportation for life.

13. MURDER.—At the Bridgewater assizes, Charles Wakely was indicted for the wilful murder of Eliza Pain, at Worle. The prisoner, who persisted in pleading *guilty*, appeared conscious of the enormity of his offence, and his truly penitent appearance gained the pity of all who saw him. Before, however, passing sentence upon him, Mr. Justice Coleridge had the whole of the evidence completely examined into, and the following witnesses were called:—

Samuel Norman, relieving officer to the Axbidge union.—I was at Wake St. Lawrence, on the 17th July, on horseback, in the lane going towards Worle. On getting to Snatch-cratch, I saw the prisoner come out from a ditch on the left-hand side of the road. He came towards me, and turned up a lane. I then saw Eliza Pain come out of the same place, and go a few yards towards Worle, and then turn and come towards me. I saw her face was covered with blood. Her bonnet was hanging down her back. I thought there was something the matter, and rode after the man. I met him coming back again. He said, "Oh, I must die!" I asked him what he had done: at that moment I saw the girl drop. I said, "You have cut her throat." He said she stabbed him first. There was blood about his right hand. I asked him what he had done it for. He said she had done it herself. Then he went towards Worle, and I followed him, and, having gone a short distance, he wished to go back, and see what was the matter with the girl. We went back to the spot. The girl was lying on her face, bleeding. The prisoner said, "She will be

better presently." I took him into custody, and gave him to a constable at Worle.

Henry Stowell.—I live with Mr. Reeves. The prisoner was in his service, and Eliza Pain was an apprentice. On Wednesday, 17th July, I saw the prisoner and Eliza Pain go milking; it was about five o'clock in the evening. I was with them, they were on very good terms. After the milking was over, Eliza Pain went towards Worle. The prisoner asked her if she would bring his boots from Worle. She made some reply, but I did not hear what. The prisoner said, "If you won't, I must go and fetch them myself." She then went towards Worle, driving the cows before her; the prisoner was left behind. He said he must go for his boots, as she would not bring them, and in about five minutes he got his hat and went away, going the same road as she had. He had not spoken angrily to her.

John Hardwick, surgeon, was called to view the body of Eliza Pain, and saw her about seven the same evening. Her head and face were covered with blood, and he discovered on her neck five superficial wounds. Over the left eye there were five other wounds, all cuts, a severe bruise on the left temple, and a deep wound on the left side of the neck, which last wound was the cause of her death. It was made by a cutting instrument. There were no other marks of violence whatever.

—Tripp.—I picked up this knife in the ditch, about two yards from the place where the body laid; it was closed. There was some hair and blood upon it. This knife is the prisoner's.

The prisoner was sentenced to death. The learned judge was

exceedingly affected in the performance of this duty.

Wakely was executed the 16th of September following. It appeared, from his own statement, that he had attempted a criminal assault upon the poor girl, and on her resisting him, he cut her throat.

13. ACCIDENT AT THE MINT. —An inquest was held at the London Hospital, on the body of Charles Henry Moore, a fine youth of twelve years of age, who died there from the effects of a severe injury which he received on the left side of the head from a part of the machinery in her majesty's Mint on Tower-hill.

Samuel Harris, a labourer, employed in the royal mint, deposed, that on Monday morning, the 5th instant, the deceased was employed in feeding one of the coining presses with blank pieces of copper for halfpence, and the press having struck what was called a "bare blow," owing to the blank piece of copper not passing through the table, so as to come between the dies, and the deceased not being very expert in adjusting the machinery after such an occurrence, witness jumped into the hole (as it is called) to do so. The deceased at this time got upon the platform, and, as soon as witness had regulated the press, he called out, as was usual on such occasions, "Take care," and gave him sufficient time to get out of the way of the machinery and into his hole before he set the works in motion. The deceased, however, from some cause or other, did not get out of the way in time, and received a severe blow over the left temple with a lever which works on a semi-circle, and he instantly fell senseless into a tray of blanks with which the

adjoining press was being supplied. He was instantly carried to the breakfast-room, bleeding profusely from the wound, and from thence to the London Hospital.

Mr. Atkinson, of Portman-square, the senior moneyer at the Mint, and another person also employed there, corroborated the above statement. Mr. Atkinson observed that since the erection of the present machinery at the Mint, the present was the second accident which had occurred in the establishment, the one before being nineteen years ago. A verdict of *accidental death* was returned.

— **DISQUALIFICATION FOR A JUROR.**—At the opening of the tenth session of the Central Criminal court for the current year, Mr. Jesse Oldfield begged to be excused from serving as a juror; he had a mental and moral objection to sit in the jury-box, but no physical one. The Recorder asked first for his mental objection; and Mr. Oldfield replied, that he could not "conscientiously find man, woman, or child guilty of theft, so long as the poor-law continued in operation." "That's a mental infirmity," said the Recorder; "now for your moral objection—I suppose it's the same." "It is," replied Mr. Oldfield. The Recorder of course refused to accept the excuse.

14. **INFLECTION OF A FINE.**—At the Mansion-house, James Read, an extensive dealer in fish at Billingsgate-market, was fined 20*l.* for selling more than twelve pair of soles in one lot. The complainants in this case were small dealers, who said they suffered much by the wholesale manner in which the business was now conducted, and which was contrary to an act

passed in the reign of George the Third. The Lord Mayor said, in reply to the defendant's attorney, that though the law might be deemed obsolete, it was on the statute-book, and was, doubtless, intended to protect the poor fish-monger, who could only buy in small quantities, from the wealthy monopolist. He should therefore give judgment against the defendant, but would not allow any further steps to be taken till the question were settled in a higher court.

— **CHARTIST TRIALS AT CHESTER.**—The city of Chester was as quiet these assizes as at any previous ones, notwithstanding the fears of the inhabitants that an incursion of the chartists would be made. The commission was opened on Saturday the 10th, but the chartist trials did not commence till the 14th, on which day George Thompson of Birmingham, gun-maker, Timothy Higgins of Ashton, James Mitchell of Stockport, beer-seller, and Charles Davies of Stockport, were indicted for conspiracy. The grand jury, who found the bills against the prisoners, had asked whether they could not bring in bills charging them with *high treason*; but Baron Gurney said, the shades between seditious conspiracy and high treason were rather nice, and it was for the legal gentlemen who conducted the prosecution to choose their mode of proceeding. He would therefore recommend them to take the charge as they found it. The grand jury acquiesced, and the prisoners were put on their trial for conspiracy. The evidence, which was quite conclusive, went to show that they had in their possession considerable quantities of fire-arms, with the intent to

aid the violent designs of the chartists.

It appeared, that upon Thompson's premises were found several orders for arms for the chartists. Thompson seemed to have had in view the turning to profit the people's delusion. On his premises was found the following instrument:—

"We hereby agree to become sureties for the payment of all arms sent to Timothy Higgins, at the Bush-inn.

(Signed,) "Charles Duke,
"Peter M'Douall."

Duke kept a public-house in Ashton; both were violent chartists.

The following placard was read, as being found in possession of the prisoner Higgins:—

"Dear Brothers,—Now are the times to try men's souls. Are your arms ready? Have you plenty of powder and shot? Have you screwed up your courage to the sticking pitch? Do you intend to be free-men or slaves? Are you inclined to hope for a fair day's wages for a fair day's work. Ask yourselves these questions, and remember that your safety depends upon the strength of your own right arm. How long are you going to allow your mothers, your wives, your children, and your sweethearts, to be for ever toiling for other people's benefits? Nothing can convince tyrants of their folly, but gunpowder and steel; so put your trust in God, my boys, and keep your powder dry. Be patient a day or two, but be ready at a moment's warning; no man knows what to-morrow may bring forth. Be ready, then, to nourish the tree of liberty with the blood of tyrants. You can get nothing by cowardice. France is in arms. Poland groans beneath the bloody Russian yoke, and Irishmen pant

to enjoy their liberty. Up, then; because the whole world depends upon you for support. If you fail, the working man's sun is set for ever. The operatives of France have again taken possession of the city. Can you remain passive when all the world is in arms? No, brave boys. Up with the cap of liberty! now or never is the time. When you strike, let it not be with stick or stone; but let the blood of all you suspect moisten the soil of your native land, that you may for ever destroy even the remembrance of poverty and shame."

Then came some doggrel verses—

"In tyrant's blood baptize your sons,
And every villain slaughter.
By pike and sword your freedom try to gain,
Or make one bloody Moscow of Old England's plain."

The jury took five minutes only to consider their verdict of *guilty* against all the prisoners.

The four prisoners were sentenced each to eighteen months' imprisonment, and to find bail at the expiration of that time, themselves in 500*l.*, and two sureties in 100*l.* each, for five years.

— CRUEL ASSAULT.—At the Liverpool assizes, George Whitaker was indicted for having cut and wounded Sarah Whitaker, his wife, with intent to murder her.

The prisoner's wife was the first and principal witness examined. She was much affected, but the prisoner appeared unmoved. According to her evidence, the prisoner came home on the 13th of March last intoxicated, and, as he had often done, began to accuse her of infidelity to him. She assured him that there was no ground for the accusation; but he insisted that two men had been with her,

L

and threatened to kill her if she did not tell him who they were. Four of his children were in bed; the two eldest, aged eight and nine years, he dragged out and threatened to kill if they did not tell, and he continued to behave in the most violent and frantic manner through the night, frequently threatening to cut her with the hatchet, an instrument which he used in his occupation of a wood-turner. In the morning he left home, taking the eldest child with him; and when he was gone the wife fled with the youngest, an infant, to her parents; but, being afraid to remain there, she went to a cousin's, at a short distance, and returned to her father's about nine o'clock, and slept there that night. About three o'clock in the morning the prisoner came and rapped at the door till his father-in-law spoke to him from the window, and again accused his wife of being then in bed with two men. He was intoxicated. Her father, who was named Pierce, replied, "No, George, I'll not believe it till I see it." Pierce feared to tell him that she was there, and he went away. Next morning he saw Mrs. Pierce, and asked if she had seen his wife? She said she had not, and if she had she durst not tell him after he had threatened to kill her as he did. He said he could find her in five minutes, and pointed out the residence of a person named Walker, where he said she was in company with two men, and that he was only prevented from having her out, from fear of exposing her and himself to the neighbours. Mrs. Pierce endeavoured to reason him out of this impression, and asked him if he had ever seen a single act in his wife which ought to make him

jealous? He said, no, he never had, and that she had been a good wife to him. On the Monday morning following he came to Pierce's to inquire for his wife. He was then sober, and expressed his regret for his conduct, and declared that he would never take liquor again, and promised so fair that the old man said that he would send for her, and try to reconcile them. She came, and he promised that if she would return he would be a better husband than he had ever been; and, finally, she agreed to forget and forgive. They remained at Pierce's till after dinner, and then went to the prisoner's brother's, where it was proposed they should pass the night. He had a glass of ale, and early in the evening retired to bed. His wife followed soon after, when the prisoner seized upon the hatchet which he had brought from home, and as she was endeavouring to get away struck her a terrible blow on the head. She screamed, "Oh, George, what art thou going to do?" and held up her hands to shield herself. He repeated the blows, and two of her fingers were chopped off, and found afterwards on the floor. Her cries brought two men who were in the house to her assistance, when the prisoner threw down the hatchet. The wife who had been knocked down, was raised up and carried into the kitchen in a chair, and a constable was sent for. When the constable came she was crying, "Oh, he has done it—he has done it. He said last Wednesday he would do it." Upon which the prisoner coolly turned round and said, "Don't be afraid, I shan't run away." About half an hour after, when taken to the lock-up, he said, "Is my wife dead yet?" Being answered,

"No," he said "It was a bad job; I have not done it, she did it herself." The constable said, "That's impossible." He replied, "Oh, but nobody saw me do it." According to the testimony of the surgeon of the infirmary, in addition to the injuries to her hands, there was a severe fracture of the scull on the right side, from which several pieces of bone came away, and several cuts on the forehead and face, so that her recovery was at first thought to be impossible.

In his defence, the prisoner put in a statement, alleging that on the Wednesday evening he had, as he believed, heard the voice of his wife in a wine-vault, in company with a woman of improper character, who led her away to the house of a man named Walker, who kept men-lodgers. That he went to Walker's and inquired for her, but could get no reply; and that if it had only been told him that she was at her father's, all this would not have happened.

The case having been summed up, the jury, after a short consultation, returned a verdict of *guilty* of wounding with intent to murder. The sentence was deferred.

15. TRIAL OF REV. JOSEPH RAYNER STEPHENS, DISSENTING TEACHER, OF HYDE, COUNTY OF CHESTER.—The trial of this notorious personage came on at the Chester assizes, and occupied the court a whole day. It excited much interest, and the court was crowded. The prosecution was conducted by the attorney-general, Mr. Hill, Mr. Jervis, and Mr. Temple. Mr. Stephens managed his own defence without assistance. He was charged with a misdemeanour, in attending an unlawful assembly, and inciting those present to a disturbance of the

public peace. The meeting was held at night, on the 14th November 1838, at a place called the Cotton Tree, a mile and a half from Hyde. Many who attended it carried arms, and bore banners with the inscriptions—"Tyrants believe and tremble," "Liberty or Death," "Ashton demands Universal Suffrage or Universal Vengeance," "For children and wife we'll war to the knife." There was a transparency with the word "Blood." At this meeting the prisoner was charged with using inflammatory language. He told the meeting that "he had good news for them; he had been to the barracks, seen the soldiers, and the soldiers would not act against the people." He asked "if they had fire-arms, and were ready;" and the answer was given by a discharge of fire-arms. This meeting continued till midnight.

These facts were fully proved by witnesses: some of them gentlemen of property. Mr. Stephens cross-examined them at length, but does not appear to have shaken their testimony. He addressed the jury for upwards of five hours, but called no witnesses. The attorney-general replied; the judge summed up; and the jury immediately found a verdict of *guilty*. The court sentenced Mr. Stephens to eighteen months' imprisonment in Kentsford Gaol.

— BLOOMSBURY CAUSE. — At the Liverpool assizes, an action, which excited great interest in the sporting world, was tried. It was stated, that at the last Ascot races, Mr. Ridsdale's colt, Bloomsbury, won the Ascot Derby stakes; but Mr. Ridsdale's right to the money was disputed by lord Lichfield, whose horse came in second — on the ground that Bloomsbury

was described as a colt by Mulatto out of Scroggins' dam, instead of a colt by Tramp out of Scroggins' dam, also called the Arcot Lass. The whole case turned upon the question of right or wrong description; for by the Newmarket rules, which are observed at Ascot, if a winning horse was misnamed, or his pedigree wrongly described, the stakes go to the second horse, and all bets are void. To settle the paternity of Bloomsbury was the object of the trial, in which Mr. Ridsdale was plaintiff, and lord Lichfield defendant. A great deal of contradictory evidence was given, but the jury decided for the plaintiff Mr. Ridsdale. The verdict was received with loud applause, in which even the counsel joined.

Another action, involving the same question, in which Mr. Ridsdale was plaintiff, and the earl of Craven defendant, was compromised on the day following.

— **FIRE IN MANCHESTER.**—A very destructive fire occurred in Dickinson-street, Manchester, by which warehousing and property to the amount, as was asserted, of upwards of 12,000*l.* was destroyed. The building destroyed extended from the lower end of Mosley-street to Back George-street, belonged to Mr. Robert Gardner, and was occupied partly by Messrs. Adolphus James Saalfeld and Co., and Mr. Robert Gardner, merchants. It was in the third story that the fire commenced, and it was discovered by some persons passing, about half-past eleven o'clock at night. The hands of Messrs. Saalfeld and Co., were engaged at work in the lower story of the warehouse at the time, ignorant of the fire that was raging above them, and on

hearing the alarm given, ran into the street to learn where it was. They then perceived, that the whole of the third story was in a blaze. No less than seven engines were on the spot in a short time. Notwithstanding their exertions however, the fire spread so rapidly, that the whole of Messrs. Saalfeld and Co.'s warehouse, was completely gutted in less than half an hour from the time the fire commenced. The flames continued to burn with great fury until two o'clock.

16. **EXECUTION AT DURHAM.**—Jacob Frederick Ehlert, convicted of the murder of captain Berkholz, was executed at Durham this morning. He had made no further admission of his guilt, but on the contrary, steadily, uniformly, and solemnly declared, that he did not strike the blows which caused the death of the unfortunate captain Berkholts. He said, that the boy Mueller struck the fatal blows. On the scaffold his appearance was perfectly calm and free from the least fear. He took a glance at the suspended cord, and gently shook his head, but not a nerve appeared to move, or a tear to wet his eye.

— **CONVICTION OF M'DOULL.** **THE CHARTIST AT CHESTER.**—Considerable interest was evinced in the trial of M'Douall, the principal chartist leader of Lancashire, who was charged along with a tradesman of Hyde, named John Bradley, with attending an unlawful meeting, using seditious language, and inciting the people to arms, &c. M'Douall was about twenty-five years of age, of gentlemanly and prepossessing appearance. He was by profession a surgeon, and lived at Ramshot-

tom, near Bury. In support of the charge, the first witness called was John Gatley, constable of Hyde. He deposed as follows:— On the 22nd of April, I saw a large meeting at the Poor Man's Institution, at Hyde; they left Hyde in procession about half-past six in the evening, attended with flags and banners. The inscriptions on the banners, were "Equal laws and equal rights;" "No property qualifications;" "Universal Suffrage." The procession went towards Newton; there were about 1,500 persons. About nine o'clock, I saw a procession of about 3,000 persons returning to the Working Man's Institution; they appeared to be escorting M'Douall. When they got to the institution, some went in, and some remained outside. I saw Bradley: he acted as chairman, and introduced M'Douall, who then came forward. When the procession marched, they gave a groan opposite the magistrates' office. I heard M'Douall's speech. He said, "They are a bloody set of Whigs, for prosecuting Stephens; I advise you, men, women, and children, of Hyde, to arm as the people have been doing in other parts of the country. I have been to different parts of the country to enlighten the people. I have been to Sheerness and Chatham, and have advised the people to arm and take possession of the Tower, with its 200,000 stand of arms, if they will not grant us the people's charter; fifty determined men could arm all London. There is plenty of guns in gunsmiths' shops, and they might get thousands of stands of arms by placing their foot against the door. The London chartists would be ready in three

days' notice to meet the people of that district." On this I heard the people call out, "We are ready," and a pistol was immediately fired. M'Douall then said, "The judges are going to try Stephens, but Stephens will try them. I advise the people not to go together to face the soldiers in small numbers, for if they do, the soldiers will fire upon them, but to go in large bodies and then the soldiers will not fire. The officers of the army and navy, five out of seven, are with you, and the soldiers are getting up petitions in favour of the charter. I understand colonel Sibthorp wants to know what we want with the pikes? We will let him know what we want with them if they do not grant us the charter. Thirty stout-hearted farmers' sons, with bill-hooks, would do a great deal of execution in a good cause like ours. One stout man, with a bill-hook, would do as much execution as a scamping fellow in a red jacket hired for 10d a day." His observations were received with shouts and noise; it was such a meeting as would excite terror. They dispersed a few minutes after eleven. There were other speakers at the meeting besides M'Douall.

Gatley's statement was fully corroborated by several other witnesses. One of them described M'Douall as concluding his speech by reminding the assembly of the three glorious days of July, and exclaiming, "To your tents, O Israel."

M'Douall, in a speech of considerable talent, addressed the jury in his defence, denying that the meeting in question was an illegal one. There was no violence used, the people having merely met together for the purpose of

considering the expediency of adopting the people's charter. He denounced lord John Russell for having encouraged the chartists in their career, and then deserted them. He thought it singular, that he should be prosecuted for attending a little meeting of boys and girls at Hyde, when he had spoken more freely at the Kersall moor meeting, and thought it unfair that the government should overlook a meeting at which members of parliament spoke, of a similar character, and pitch upon the Hyde assembly, and select himself and a poor innocent clogger as objects of vengeance. If the meeting was illegal, he could not see the difference between it and the one attended by the attorney-general in Edinburgh some time since, which was by torch-light, on which occasion his learned prosecutor was carried down the High-street of that city on the shoulders of two porters, followed by a riotous mob, banners, and music. The defendant then entered at great length into the defence of the principles of the people's charter, and with considerable talent dissected the indictment, which he ridiculed as absurd, and denied using the language attributed to him by the witnesses.

Several witnesses were called, who gave Bradley, a good character for quietness and peaceableness.

The Attorney-general in reply, commented upon the evidence, and upon the address of M'Douall, contending that the charge had not only been proved by the witnesses called, but also confirmed by the statements which M'Douall himself had that day made.

The jury pronounced both the

prisoners *Guilty*. And Mr. baron Gurney sentenced M'Douall to twelve months' imprisonment in Chester Castle, and Bradley to eight months; each to find sureties for five years, themselves in 500*l.*, and two sureties in 100*l.* each.

18. CHARTISTS AT CHURCH.—A new and somewhat unexpected method of agitation, was about this time adopted by the chartists. They betook themselves suddenly to attendance in a body at public worship—taking early possession on the Sundays of the various cathedrals and parish churches, to the exclusion of the more regular attendants. On the afternoon of Sunday, the 11th, a party of them, about 500 in number, met together in West Smithfield, and walked in procession to St. Paul's Cathedral. On arriving there, many of them refused to take off their hats; but after some remonstrance from the Vergers, they submitted. The majority of them appeared with a little piece of red riband in their button-holes, and conducted themselves quite peaceably. On the Sunday following, their brethren of Norwich pursued a similar course at the cathedral of that town, which was crowded almost to suffocation. The bishop, who preached, took the opportunity to deliver an impressive remonstrance on the folly and danger of their proceedings. The chartists behaved well at the cathedral; but at St. Stephen's Church, in the evening, they made a disturbance. The chartists at Manchester, on the same day, following the advice of Mr. O'Connor, attended the old church in great numbers. The authorities having been previously advised of their intention, had the military in readiness to act should

the chartists behave disorderly. But they conducted themselves with great decorum. It is said, that previous to divine service, they handed the clergyman a chartist text to preach from, that the former selected as his text, "My house is the house of prayer, but you have made it a den of thieves;" on announcing which the chartists quitted the church. The same tactics were followed in the principal towns all over the country, but either from the success of them being not very apparent, or from the distastefulness of the method employed, the practice was not followed up long—nor with any great regularity.

20. ASSAULT BY A POLICEMAN.—A London Police officer, stationed at Birmingham, was fined 40s. by the magistrates of that town for an assault on an unoffending person in the neighbourhood of Holloway Head. It appeared that for some months past, the chartists had been in the habit on Sunday morning, of meeting on the above ground for the purpose of reading the newspapers. On Sunday morning, the 18th, the magistrates directed Mr. May, Superintendent of Police, to send a body of his men to take possession of the ground, and prevent any meeting taking place. They accordingly went, to the number of between thirty and forty, and stationed themselves on and about the hill. An inconsiderable number of persons having collected in groups about the ground, the police began to disperse them, and in doing so used considerable violence. A respectable working man, George Jones, stated, that he, in company with a man named Withers, about ten minutes past eleven o'clock, was going through Sandy Lane

upon business: they were walking by themselves, and had no connexion whatever with any other persons. They saw some policemen coming after them; upon which they became terrified and ran. One of the policemen threw his staff after Jones, which struck him on the head and knocked him down. Before he could get up, the party of policemen came up to him, and while he was on the ground he was beaten most severely. He cried out to them, 'Lord have mercy on me!' to which one of them replied, 'Get up you —, and I will give you mercy.' He had not said or done anything to cause the attack.

20. SUITOR TO THE QUEEN.—At Bow Street, Edward Hayward, apparently a very harmless person, was examined on a charge of obstructing the Queen's progress during her Majesty's ride in Hyde Park. He laid hold of the bridle of the Queen's horse, and endeavoured to present a petition to her Majesty; but was given into custody by lord Gardner, in attendance on the Queen. It appeared that Hayward had written several letters to colonel Clithero, strongly expressing a desire to marry the Queen. He was a native of St. Helena, and had been sent to England when young; he had been in various occupations; had been committed to prison several times for threatening persons with violence, and had been twice in a lunatic asylum.

24. ASSAULT AND ROBBERY. IRELAND.—A little after seven o'clock on Sunday evening, an eminent manufacturer of parchment in Dublin, Mr. Verschoyle, was returning from his country-seat, with his wife, and his brother-in-law and wife, along the banks of the grand canal, within about four

miles from town, when six ruffians, armed with crowbars and huge bludgeons, rushed upon them. The first object was to catch hold of the horse's head, which one of them did, while the others fell upon Mr. Verschoyle, heedless of the piteous screams of the terrified ladies. They cut his head in a most frightful manner, and the calves of his legs were nearly severed from the bones by deep-seated wounds. Mr. Verschoyle at length leaped into the canal to save himself from the fury of his assailants; where he must have been drowned but for the arrival of one or two men who came up, attracted by the females' cries; but, nothing daunted at their presence, the villains commenced a violent attack upon them. At this moment, providentially, the packet fly-boat appeared rising in the lock through which it was passing. The deck was crowded with persons; at seeing whom, the murderers fled. Mr. Verschoyle was taken out of the canal half dead. His brother-in-law seized and held firmly the fellow who first caught the horse's head; the other escaped.

26. **THE MANCHESTER CHARTER.**—At Liverpool, the cause of *Rutter v. Chapman*, involving the question of the validity of the Manchester charter, was tried before Baron Maule. Chapman, the defendant, was coroner of the municipal borough of Manchester; and the question directly before the court was, whether he was entitled to exercise the functions of coroner. The attorney-general was leading counsel for the defendant, and Mr. Cresswell for the plaintiff. The judge directed a verdict for the defendant, on the ground that the privy council *could* grant the charter on the petition which had been

presented from Manchester; but allowed Mr. Cresswell to tender a bill of exceptions, on which the case would be argued in the court above.

27. **INFANTICIDE.**—An inquest was held at the Checkers tavern, Duke-street, St. James's-square, on the body of a fine new-born male infant, the illegitimate offspring of a young woman named Jane Wales, which was destroyed by the unnatural mother, under circumstances detailed in the following evidence:—

Mr. Joseph Toynbee, surgeon, of No. 11, Argyle-place, Regent-street, was first examined and deposed, that he had made a *post mortem* examination of the body of the child. It appeared to have arrived at its full time, and was a well-formed child. There was a wound in the throat, and a considerable dark swelling on the left side of the neck. Witness here stated the appearances which left little doubt that the child had been born alive, and probably lived an hour or two.

Elizabeth Pattridge, a girl, seventeen years of age, said, that she was servant to Mr. Ponder, draper and tailor, of No. 37, Duke-street, St. James's. Jane Wales, the mother of the child, was cook in her master's service, and came about a fortnight before. Wales was about eighteen years old, and passed as a single woman, but witness suspected that she was in the family way, and accused her of it, but she denied that such was the fact. On the night of the 23d, Wales complained to witness, who slept with her, that she was indisposed. About five o'clock, next morning, witness got up, when Wales appeared unwell, and requested her (witness) to get her a cup of tea.

At six o'clock, witness took up some tea, when she found the bedroom door fastened inside. Wales told her to put down the tea outside the door. Witness informed her mistress that Wales was ill, and Mrs. Ponder went up to her.

Mrs. Ponder stated, that when she was called by Elizabeth Patridge, the mother of the child said that she had only miscarried. From appearance in the room, however, witness suspected that a child had been born, and sent for Dr. Gully, of Sackville-street. Before that gentleman's arrival, Wales acknowledged that she had given birth to a child, which she had placed in her trunk. Witness found in the room a pair of scissors, on which was some blood. Witness did not think the young woman provided any baby linen for her unfortunate offspring.

Dr. Gully coincided in the opinion of Mr. Toynebee, that the child had lived, and that its death was caused by the wound in the throat. On being called in by Mrs. Ponder he examined Jane Wales, and found that she had recently been delivered of a child.

The jury returned a verdict of "wilful murder" against Jane Wales.

28. TOURNAMENT AT EGLINTOUN CASTLE.—A magnificent festivity, in imitation of the ancient tournaments, which had been for two years in preparation, at the expense of the young earl of Eglintoun, commenced on this day at his lordship's seat, Eglintoun Castle, near the coast of Ayrshire. The place chosen for the lists lies about a quarter of a mile to the east of

the castle, surrounded by very beautiful scenery. The arena was about four square acres, around which was erected a fence, engrossing 12,000 square feet of boarding. The barrier in the centre of the ground, along which the jousting took place, measured 300 feet. Two galleries were erected, one to accommodate 1000 and the other 2000 persons; in the former were placed the private friends of the earl and the knights; in the latter, those strangers who had obtained tickets (granted gratuitously) from Messrs. Pratt of Bond-street. Nearer the castle were erected two temporary saloons, each 250 feet long, for the banquet and the ball. Each of the knights had his own marquée, or, in more appropriate language, pavilion, for himself and attendants. The decorations of the lists were costly and magnificent, and some of the splendid erections provided for her majesty's coronation were again brought into use. At the request of lord Eglintoun, a large proportion of the visitors came attired in ancient costume.

The morning was unfortunately very wet, and the feudal appearance of the display was sadly marred by thousands of umbrellas. In consequence of the rain, a considerable part of the ceremonial was omitted; and the queen of beauty and her ladies, instead of mounting their palfreys, were confined within their carriages.

It was two o'clock, and in the midst of a drenching shower, when the procession started from the castle.

The following is a list of the knights and esquires; the marquess of Londonderry, being "king of the tournament," and lady Seymour, "queen of love and beauty." The armour and costumes, were of the most splendid description.

KNIGHTS.

Earl of Eglintoun
Marquess of Waterford .

Earl Craven.....
Earl of Cassilis
Viscount Alford
Viscount Glenlyon
Hon. Capt. Gage.....
Hon. Mr. Jerningham...
Captain Fairlie

Sir Fred. Johnstone ...
Sir Francis Hopkins ...
Captain Beresford
Mr. Charles Lamb
Mr. C. Boothby
Mr. Lechemere

ESQUIRES.

Lord A. Seymour, Mr. Grant, Mr. G. Dundas.
Sir C. Kent, Mr. F. Cavendish, Mr. L. Ricardo.
Pages—Lord John Beresford, Mr. M. White.
Hon. F. Craven, Hon. J. Macdonald.

Hon. Mr. Cust, Mr. T. O. Gascoigne.
Sir David Dundas, Mr. J. Balfour.
Mr. A. Murray, Mr. R. Ferguson.
Capt. Stevenson, Mr. G. Campbell.
Capt. Purves, Mr. H. Wilson, Capt. Pettat,
Mr. Cox.

Viscount Drumlanrig, Hon. A. Villiers.

Viscount Maidstone, Mr. Lumley.
Mr. R. Crauford, Mr. J. Gordon.

Mr. Curry, Mr. J. Horlock, Mr. J. Pane.

The grand stand was filled with ladies splendidly attired in the costumes of the fourteenth and fifteenth centuries.

At this great centre of attraction, the knights, on entering the lists, hastened to pay their devoirs, and then repaired each to the tent erected for his reception.

Several courses of jousting were run, the earl of Eglintoun, in a splendid suit of brass armour, encountered the marquess of Waterford, and broke two spears in the conflict. The noble earl was declared the best knight of the day, and rewarded by the queen of beauty with the crown of victory, amidst the shouts of the spectators. Other knights exhibited their prowess in similar feats, but the sports were abridged in consequence of the weather, and concluded with a broad-sword combat between Mr. Mackay, an actor, and a soldier.

It was intended that there should

have been a grand banquet and ball in the evening, and for these the most extensive and costly preparation had been made, but to the dismay of all the parties invited, and to the great chagrin of the noble host, the news reached the lists that the banqueting-hall and the ball room, constructed of enormous tents, were both unfit for use and in a flood of water in consequence of the incessant rain having penetrated the roofs and sides.

On the second day, the weather continued so unfavourable that nothing could be done; but as it cleared up towards the afternoon, the renewal of the tournament was fixed for the morrow, and in the meantime the assembled multitudes made merry as they might. In the ball-room a series of mimic tilts on foot, took place between prince Louis Napoleon and Mr. Lamb, who were both in armour.

On Friday the 30th the procession and the joustings were re-

peated, under more favourable circumstances. They concluded with a tourney, or barriers, at which eight knights were engaged, armed with swords, the blows being limited to two in passing, and ten at the encounter; the only breakers of which law were the marquess of Waterford and lord Alford, who appeared to be plying their weapons in good earnest, when they were separated by the knight marshal. Shortly before nine a banquet was given to 300 persons in the temporary saloon (which the rain had previously rendered useless,) followed by a ball, at which 1000 were present. On the Saturday the weather was so stormy that all further sports were given up.

The numbers on the ground were variously estimated at from 80,000 to 200,000 persons; some thousands of whom travelled from distances of 400 miles and upwards. There were visitors present indeed from every part of the United Kingdom, besides numerous foreigners. The sums circulated by those who came to see this splendid carnival must have been very great. On the Ardrossan railway the fares were trebled; and on Tuesday evening and Wednesday morning, gigs and other vehicles in Glasgow were not to be had under from two to three times their average cost.

The most extensive and hospitable arrangements had been made by lord Eglintoun for the due entertainment of his guests of all ranks, and it was calculated that these festivities must have cost the noble and munificent host not less than 40,000*l*.

29. RIOTING AND UNLAWFUL DRILLING.—At the Liverpool assizes twenty-five prisoners, convicted of rioting at Bolton on the

13th of this month, and eleven others convicted of unlawful drilling, were sentenced to terms of imprisonment varying from a year to three or four months.

30. ENTERTAINMENT AT DOVER.—A grand dinner was given by the Cinque Ports, in honour of their lord warden; the duke of Wellington, in a pavilion erected for the occasion at Dover, on the Priory meadow, directly opposite the large hall of the Maison Dieu. This structure was composed entirely of wood, in shape nearly square, and the flooring of the side portions was made to rise gradually, so as to enable the gentlemen dining there to have an uninterrupted view. A long gallery, occupying the whole of one side, opposite the chairman, was appropriated to the use of ladies. The decorations of the hall were exceedingly gay. Every part, with the exception of the roof, was covered with pink and white striped drapery, and the walls, at regular distances, were ornamented by a variety of escutcheons, paintings, and tapestry. The ceiling was divided into three distinct compartments, supported by rows of pillars. In front of the two first rows, suits of armour were placed, and in all parts of the hall floated a profusion of flags. The erection of this pavilion cost nearly 1,200*l*. It stood, including its covered ways and entrance lobbies, upon 20,420 feet of ground; the area alone occupied for the purposes of the dinner being 120 by 180 feet. There was consumed in its erection 400 loads, or 20,000 cubic feet of timber, and it took 100 men sixty days in building. The arrival of the duke was announced by a salute of twelve guns from the heights. He appeared in buoyant health and

spirits, was dressed in the habiliments of lord warden, and accompanied by Mr. Walker, mayor of Romney and speaker of the Cinque Ports, who officiated as chairman of the meeting. On the right side of the chair sat the duke of Wellington, the marquis of Bute, lords Loftus, Fitzroy Somerset, Strangford, Sondes, Forester, and Lyndhurst, sir F. Pollock, sir F. Burdett, &c. &c. On the left, lords Cardigan, Brecknock, Canterbury, Marsham, Maryborough, Wharncliffe, and Brougham, the High-sheriff, &c. The number of diners was about 1500. The duke's health was proposed in a very eloquent speech by lord Brougham; and the fete passed off with the greatest éclat.

— **SUICIDE IN GLOUCESTERSHIRE.**—A young gentleman, named William Henry Legge, about 20 years of age, residing about five miles and a-half from Gloucester, and son of the late general Legge, committed suicide by shooting himself through the head with a pistol. He had formed an attachment to a young woman of the neighbourhood, Miss Eliza Sterry, which, it is said, did not receive the approbation of his mother. On the night in question he came home about a quarter past ten o'clock, in company with the young woman to whom he was paying his addresses. Having left her outside the house, he went into the parlour to his mother, and after a minute's conversation with her, he ran upstairs, seized a pistol, and rushed out of the house towards the young woman. He then knelt down, put the pistol to his mouth, discharged it, and fell a corpse at her feet. The jury returned a verdict that the deceased destroyed himself, being at the time in a

state of temporary derangement. Miss Sterry, as may be readily imagined, received a terrible shock from the transaction, and, as well as the mother of the deceased, was not considered in a fit state to be examined on the inquest.

31. **COMMISSION OF LUNACY.**—An investigation took place at the Sheriff's Court, Red-lion-square, to ascertain the state of mind of Mr. Richard Estcourt Cresswell, of Pinckney Park, in Wiltshire. This gentleman had been arrested for debt in France, and imprisoned; but, in consequence of his alleged insanity, was removed from Boulogne to a lunatic asylum at St. Vernant. The French authorities would not give him up, and therefore the inquiry took place in his absence. Evidence of insanity was given by several witnesses. Dr. Sutherland detailed the particulars of an interview with Mr. Cresswell in the French asylum:—

“I was introduced to him as Dr. Sutherland; and he expressed himself happy to see me, and said I was the very person he wanted. He appeared to recognise me; and mentioned as his reason, that I had given him assistance when his persecutors had smashed his skull with a mallet in the Cloisters, in Dean's-yard, Westminster. That led to a conversation about Dean's-yard, and I found Mr. Cresswell and myself had been at school together; and I also recollected having seen Mr. Cresswell in 1821, when he applied to me about a commission of lunacy against his father. He spoke tolerably well about the education he had received; but he mixed up with all his conversation a system of persecution, chiefly connected with his being constantly shot at. He said he was wounded in various parts

of the body; and he took off one of his stockings to show me that he had a wound in his right leg. I examined his leg, and found that it was perfectly sound, and argued and attempted to convince him that he was under a delusion; upon which he said that I might think so, but blood oozed out of his leg, and he felt that the balls were trickling down him, and working their way out. He also talked about a conspiracy that existed against him, headed by a Mr. Best; and he said that his enemies sometimes shot at him from above and below and down the chimnies, and that system was carried on day and night during the whole time he had been at St. Vernant, which was from 1832. I could make no impression on him as to those delusions; and I said if he was anxious to have his case inquired into, it would be much better to have his ideas put down in writing: and I requested Mr. Bloxam, Mr. Cresswell's solicitor, to take a pen and receive his instructions. Mr. Bloxam accordingly took up a pen, and wrote on the paper I now produce, as near as possible to Mr. Cresswell's dictation:—'I am shot day and night. Mr. Best shoots me with a pistol. I am attacked in the morning. I have eight or nine shots in me. I am a general, and have fought in Hyde-park with the Russians. I was knocked into the Serpentine whilst making a charge. I have been to Cambridge, Oxford, Deptford, and Uxbridge; and at the last place a surgeon performed an operation upon me. My title is the earl of Hungerford. My medal I wear round my neck was given to me by George the Second. I have a bullet lodged in my stomach; and I have had large property left me by the

earl of Darlington.' He then signed the paper under different titles—namely, as lord Hungerford, earl Newark, Wolverhampton, Deptford, Hastings."

The jury returned a verdict, dating Mr. Cresswell's insanity from the 1st of August, 1830.

— DEATH BY DROWNING.—By the upsetting of a boat off Herne Bay, two young ladies, Miss Wade and Miss Fielder, and a Mr. Binks were drowned. They were on their way from the Reculvers with a brother of Miss Wade, and Pressly, a boatman, when the fore-sheet broke adrift, and the boat was upset on her larboard side. A Herne bay boatman came to their rescue, and all were taken out of the water; but only young Wade and Pressly survived.

SEPTEMBER.

1. ACCIDENT ON THE SEVERN.—A fatal accident occurred at that part of the above-named river, called the Aust passage, when eleven persons lost their lives, by the upsetting of a boat.

It appears, that the steam-boat, which crosses the passage does not usually ply on Sunday; consequently, the parties who wished to cross on this day, were obliged to avail themselves of a small boat called the mail-boat, and of a passage boat for carriages, &c., called the Little Western. The day having been throughout exceedingly boisterous, the wind blowing a complete gale, produced a very heavy sea on the Severn; which, together with the tide which there runs with extreme rapidity, made it very dangerous for boats to pass across. At about five minutes after three in

the afternoon, the mail-boat proceeded from the Monmouthshire side; and was followed in about ten minutes by the Little Western, having on board six passengers, five horses, and two carriages, besides her crew, consisting of the captain and four men; the sea was at that time running high, and the wind almost a complete hurricane. The vessel, however, although labouring much, continued to progress towards the destined shore; until when about half way across, a sudden gust of wind called a land squall, took her, carried her on her side; and the horses, as it is supposed, shifting, she was capsized, and, in a few moments, she filled with water, and went down, every soul on board perishing with her.

The mail-boat, which had reached the beach on the English side, immediately put off again, in the imminent risk of being swamped, to save some of the little boat's passengers; but none were rescued. The persons drowned, were Mr. Crawshaw junior, one of the large ironmasters of Merthyr; Mr. Andrew Bland, brother of Mr. Bland, the coach proprietor of Bristol; Mr. Williams, of Redruth, Monmouthshire; Mr. Jones, of Woolles Norton, Monmouthshire; a Mr. Jenkins, and Robert Harmer, servant to Captain Jenkins, R.N., who was proceeding with his master's carriage to Bristol, to meet him; captain Whitchurch, the master of the boat; William Whitchurch, his son, about seventeen years of age; and three men of the crew, some of whom have left wives and families.

Inquests were held on the next night, before Mr. Ellis, coroner for the county, upon such of the

bodies as had been found. After a full inquiry, which completely exonerated the proprietors of the ferry from any blame, the jury returned a verdict in each case of "Accidental death."

1 and 2. RAILWAY ACCIDENT. —On Sunday night, a young woman went over to the Croydon railroad to see off some friends who were going to Croydon. After having seen the train start, she proceeded to walk along the railroad herself; but had not gone many yards when the train from Croydon came along, and one of the carriages struck her on the forehead, and literally cut away the whole of the upper part of the head. She was found rolled up like a ball. An occurrence which proved similarly fatal occurred on the London and Birmingham railway at an early hour on Monday morning, the 2nd instant. On Sunday night, the mail train for London left Birmingham at its usual time, and proceeded with safety, until near the station at Wolverton, when a sudden outcry was raised that some one had been run over. The engineer immediately stopped the engine, and the guards and others ran back, when one of the stokers was found lying across the rails literally beheaded. It is supposed that the unfortunate man, while on the look out must have slipped off the tender, and the wheels of the train passed over his neck. It was said that the above was the third accident on the London and Birmingham railway within eight days. A man at the commencement of the week, had his foot torn off by a train; and on the Friday, at the Wolverton station, inspector Watts was crushed in a most dreadful manner, death terminat-

ing his sufferings almost immediately.

3. *AURORA BOREALIS*. — An aurora borealis was seen in London from ten o'clock this night till about three the next morning. The atmosphere at the time being remarkably clear, the appearance of the horizon was brilliant in the extreme, and the reflection on the Thames attracted the attention of the numerous passengers on the different bridges. The same phenomenon was frequently visible in the autumn of 1838, though somewhat later in the year. It is commonly looked upon as the precursor of a severe winter. In Dublin, also, the northern lights were observed.

— *ACCIDENT AT SEA*. — The Royal Adelaide steam-packet, bound to Dublin from London, came into Portsmouth having on board the crew of the schooner, *Gil Blas*, which vessel she unfortunately ran down off Dover on the Sunday night previous. She struck the schooner amidships. The crew, consisting of nine men and a black boy, were all saved, with the exception of the boy. The captain was landed at Cowes. The *Gil Blas* was from the African coast, with a valuable cargo. She was found dismasted, by some Ostend pilots, and taken into Ostend.

4. *CONCEALMENT OF A STOLEN WATCH*. — An extraordinary case was heard at the Dublin police-office. A young gentleman, named Rathbane, charged Ann Lynch with having stolen his watch. Complainant said he was passing through Marlborough-street, when he was followed by the prisoner, who snatched the watch out of his waistcoat pocket. He seized her on the spot, and had her given

up to a policeman who was passing. She was brought to the station-house, and although the most rigorous search was made by a female, who was there for the purpose, it could not be found, and all hopes of recovering it were given up, complainant having concluded that the prisoner had dropped the watch in the street. In the course of the night, however, she became ill in the station-house, and, without the aid of an emetic, the watch was forthcoming, although she acknowledged that she had completely swallowed it when she took it from the gentleman's pocket. What made the case more extraordinary was, that there were six or eight inches of black riband attached to it. It was a thin fashionable gold watch, but not at all a small one. The magistrates wished to commit the prisoner for trial, but the complainant said he would not prosecute her, as he was sure, she had already suffered sufficiently. The magistrates said the complainant could not get his watch unless he prosecuted.

5. *SUNDAY FISHING*. — In the course of the week summonses had been issued by the lord mayor against a number of gentlemen who had been in the habit of angling in the Thames on Sunday. Some poor fishermen, who were punished for using illegal nets, complained that gentlemen broke the law by fishing on Sundays with impunity; and the lord mayor said he would execute the law against the rich as well as the poor. In consequence several anglers appeared before his lordship, but on promising not to repeat their offences, were let off without a penalty.

6. *SUICIDE*. — A coroner's inquest was held at the Harrow

public-house, Kensworth - green, Herts, on the body of Mr. Thomas Briden, an opulent farmer, residing at Thrale's-end farm, who was discovered hanging, and quite dead, in one of his barns two days before. It appeared that the deceased had been engaged with his man in carting some wheat at the commencement of the week, and that while his teams were so occupied, one of them came in contact with a cart belonging to a farmer named Pepperman, residing in the same neighbourhood, and the deceased's cart was overturned. Upon this a violent quarrel took place, between the deceased and Pepperman, and the former seized a pitchfork and beat Pepperman severely, and felled him to the ground, and he was taken away insensible. The next day the deceased, having received information that Pepperman was in a dangerous state, sent to him to request his forgiveness, but the latter replied, that if the halter was Briden's doom he should have it, and that he would not have any reconciliation with him. After this message the deceased appeared dreadfully alarmed, and he was heard by his servants to say, several times, that he must either fly the country or destroy himself. Evidence was adduced to show that the deceased was of a weak and imbecile mind; and the jury, after a full inquiry, returned a verdict, "That the deceased destroyed himself in a temporary fit of insanity." The deceased was a man of large property in the neighbourhood. Mr. Pepperman afterwards quite recovered from the effects of the injuries inflicted upon him by the deceased.

7. "REVIVALS" IN SCOTLAND.
—The readers of American travels

are probably familiar with the method of religious excitement called Revivals, which are not unfrequently practised by the more enthusiastic teachers in that country. Experiments of a like questionable nature have been lately ventured on in the northern part of this island. We extract from a minute detail, given at a meeting of the presbytery of Glasgow, by the rev. Mr. Burns, pastor of the parish of Kilsyth, the following account of the awakened religious feeling which had there displayed itself. Since the induction of the rev. gentleman, about eighteen years ago, the parish had been gradually assuming the habits of morality and christian observance. Prayer meetings were established, and many persons who had before led disorderly and unbelieving lives were converted to the truth.

In July, it was announced that the son of the rev. gentleman, who was about to proceed on a foreign mission, would preach to the people of Kilsyth, probably for the last time, and the church was on that occasion crowded to overflowing, and the audience embraced many persons who had never been seen in church before. The sermon was from the text, "Thy people shall be willing in the day of thy power." There was nothing unusual in the first half hour, though there was a tendency and a predisposition to the burst of emotion which took place at the close. When the preacher was depicting a scene which had taken place in the parish of Shotts, and making affectionate and earnest addresses to the people, many of them had been known to him from boyhood, and some of whom were neglectful of ordinances—when he was referring to this topic, he spoke of the text

and the sermon of Mr. Livingstone, which converted in one day 500 souls; and he went on to ask if he was to leave them in their sins, using the words, "If there was no cross, there would be no crown." When he came to this point, the audience went beyond all bounds with their emotion; some cried out, and others swooned away. With regard to three or four of these, as was learned afterwards, the emotion was just the effect of powerful impressions made upon their feelings. The preacher's voice was drowned by the feelings of his auditory, and he was compelled to pause. After this, meetings were held every night, and the people seemed anxious to learn more and more about the gospel. They were subsequently addressed in the open air to the number of between 3,000 and 4,000; and on the following sabbath, religious conversation continued in the churchyard from three in the afternoon till eight at night, when the clergyman was only enabled to depart on the pledge of meeting the people at seven next morning. It would appear, from accounts in the Scottish papers, that similar scenes continued to be enacted at Kilsyth, and that it was understood among the Revivalists throughout the whole of Scotland, that there was to be on Sunday, the 15th, "a great manifestation of the power of the Lord" at that place. In consequence, there were assembled in the village on that day people from the most distant quarters of the country. Beds had been bespoken for weeks previous: it was said, that one party of twenty females from Greenock had engaged beds at least a fortnight before. But the accommodation being, after all, quite inadequate for the multi-

VOL. LXXXI.

tudes that poured in, hundreds had to bivouac in the open air, or travel to the neighbouring village of Kirkintilloch. Every kind of conveyance from Glasgow was soon taken up, and fares were inordinately raised. The greater number of the clergymen present belonged to the established church; but there were also dissenters of various denominations—baptists, methodists, &c. The services began in the parish-church, at ten o'clock on the Sunday morning; and in an open field, soon after, where they were persevered in till six o'clock on Monday morning. They were resumed on Monday at ten, and were continued through the whole day and ensuing night. A third time the vast congregation assembled on Tuesday in the forenoon, and even that day did not bring the proceedings to a close. Much excitement prevailed, and scenes of a most deplorable nature exhibited. On one hand was to be seen the baptismal rite administered to great numbers, by immersion in the mill-dam, and on another, women throwing themselves on the ground, and crying out for mercy. Nor was the language of the preachers calculated to calm the storm. One reverend gentleman is said to have told a portion of his audience, that "he saw the devil looking out of their eyes;" on which several women fell down insensible, and were taken off to the session-house. At another time, the preacher, in speaking of Jacob's ladder as a type of the Saviour, called on his hearers to come to it, and to make use of it; but, finding the impression he produced not so strong as he wished, he cried out that there was rottenness at the foot, and hey must come quickly; and,

M

suited the action to the word, he sprang up in the pulpit as if to catch hold of the ladder ere it was snatched away from him. There was an old French minister among the preachers. Altogether, the scene appears to have been of a most questionable nature.

Clergy of the kirk as well as dissenting ministers continued to be employed in attempting to produce "revivals of religion." Dundee, Aberdeen, and the neighbourhood of Glasgow and Paisley were the principal scenes of their exertions.

At Finnieston, according to local papers, clergymen and religious laymen were in attendance almost day and night, preaching, exhorting, and conversing, with the people, who repaired to them in great numbers, deeply concerned about the state of their souls. The meetings which were held in various places, sometimes continued till long after midnight, being again commenced early in the morning.

— DINNER UNDER THE THAMES.

—The directors of the Thames Tunnel company gave an elegant dinner in the tunnel, to the persons employed in that undertaking, to celebrate their having reached low-water mark. Mr. Hawes, M.P. was in the chair, and 280 persons sat down to table. On a raised platform, about 500 visitors, the majority of whom were ladies, were provided with places to view the scene. It was stated, that there were yet 250 feet of the Tunnel to excavate, which would be completed within twelve months. This is calculating at the rate of five feet a week; but the men have been known to make an advance of fourteen feet in a week.

9. FELONY.—A very distressing case occurred at the Surrey Sessions. Mr. Frederick Nicholas

Somers Thomas, was tried on a charge of stealing property belonging to a Mrs. Cundy, who lived in Camberwell, and whom he had attended in the capacity of a surgeon. It appeared that the prisoner had been convicted in December, 1838, of feloniously removing from a dwelling-house a quantity of furniture belonging to Mr. Seeley, of Peckam, and sentenced to twelve months' imprisonment and hard labour, but before the expiration of the term he became insane, and was removed to Bethlehem Lunatic Asylum, and subsequently a portion of his sentence was remitted. The case was brought before parliament by Mr. Wakley; and the prisoner was again tried, at the instance of the attorney-general,—considerable doubts as to the justice of the former conviction having been raised, chiefly by the statement of a Mr. Cooke, who professed to have taken the property Thomas was accused of stealing.

The present indictment charged the prisoner with stealing twenty-seven handkerchiefs, one pair of sugar-tongs, &c., the property of Fanny Esther Stamp Cundy, and the prosecutor was a Mr. Richard Stafford Cooke, Mrs. Cundy's brother. It appeared from the evidence given by him and others, that Thomas had possessed himself of property belonging to Mrs. Cundy, Cooke's sister, which he claimed under her will. The will, however, was not deemed valid at Doctors' Commons, and Thomas's legal right to the property could not be made out. The evidence of actual guilt, however, seems not to have been conclusive; and the character of the witnesses for the prosecution was not the best. The other Mr. Cooke, who had petitioned the House of Commons

in Thomas's favour, did not appear for him on the trial. The prisoner was again convicted; and was sentenced, on Thursday, to seven years' transportation.

His appearance in the dock was such as to excite great commiseration. During his imprisonment his hair had changed from a deep black to grey, and he was attended by an officer from Bethlehem asylum.

9. COLONIZERS OF NEW ZEALAND.—The colonists about to sail to New Zealand, with a number of the purchasers of land-orders, testified their gratitude for the unremitting attention given to their affairs by the directors of the New Zealand Land Company, by inviting those gentlemen to a public dinner, at the Thatched House tavern. About ninety persons were present; with the zealous and indefatigable Dr. Evans for chairman, Mr. Halsewell, the Middlesex magistrate, and Mr. Hunter, who was going, with his wife and ten children, to the colony, croupiers. The principal speakers were the chairman, Lord Petre, Mr. Tollemache, M. P. for Grant-ham, Mr. G. F. Young, Mr. Buckle, Mr. Boulcott, the croupiers, and Mr. E. G. Wakefield. Familiarity with the subject of colonization, and the principles on which their undertaking was based; a perfect understanding of the course to be pursued, and the difficulties to be encountered, with confidence in their own resources for overcoming them; and pride in extending the laws, language, and civilization of England, characterized the speeches of the evening. The chairman spoke with impressive and almost solemn earnestness on the objects of the emigration, the duties of the emi-

grants to each other, to their native country, and the aborigines of New Zealand; elevating his discourse by historical allusions, especially to the great first founders of colonies in the Elizabethan, and to the pilgrim fathers of the following age. Lord Petre, who gave evidence of his zeal and reliance on the success of the undertaking by sending his second son to the colony, spoke in a tone of hearty encouragement; while the ship-builders and mercantile gentlemen present, enlarged upon the value of colonies to the mother-country, shewing a perfect acquaintance with the subject.

11. ROBBERY.—At the Surrey sessions, John Beachey, Ellen Davis, and Martha Stone, were indicted for stealing, with great violence, from the person of Mr. Robert Young, a writer to the signet in Edinburg, a watch, a pair of spectacles, and a wig.

From the evidence it appeared, that the prosecutor had recently come from Scotland on a visit to the metropolis, and at about eleven o'clock, on the morning of the 19th of August, he went into a coffee-shop kept by a woman named Hughes, in the Cornwall-road. He ordered a rump-steak and some porter; and while the steak was getting ready, he entered into conversation with Ellen Davis, who was in the room, and from the circumstance of her calling the landlady, "Mother," he thought that she was the daughter. Mr. Young stated, that he found his new acquaintance so entertaining and communicative, that he invited both her and her mother to partake of the refreshment with him. The prosecutor afterwards sent for some gin, and finding that he had not brought out sufficient cash to pay

the bill, he gave his watch to the woman Hughes to keep until he went home and fetched some money. The male prisoner was introduced as the husband of Davis, and went, at the prosecutor's request, with him to his lodging to get the money. They returned together to the coffee-shop, when prosecutor immediately paid the bill and redeemed his watch, and afterwards sent out for more beer and gin to treat them all. He became intoxicated, and was induced to go up stairs with Beachey and Davis, and they took him into a room on the first floor, when for the first time he saw the prisoner Stone. He had not been long there when the prisoners pushed him with force into a dark room, and according to his statement, blackened his face, then blackened his eyes, cut his mouth, and tore the clothes off his back. He called aloud for help, but no person came to his assistance; he, however, by great exertion, escaped out of the room, ran down stairs into the street, when, meeting with a policeman, he told him how he had been treated. When the room where the above outrage was perpetrated was examined, the prosecutor's spectacles were found there, his wig outside the door, and his watch was traced to have been pledged by Davis at a pawnbroker's shop in Westminster. When the prisoners were taken into custody, a silk pocket-handkerchief belonging to the prosecutor was found in the male prisoner's possession.

The woman Hughes, the landlady of the coffee-shop, was examined, and, by her own admission, she let her house out in lodgings to persons of the most abandoned character. She said that when the prosecutor went up stairs with

the prisoners, she had no notion that they were going to rob or ill-treat him.

In the course of the trial it was given in evidence, that subsequently to the robbery, the male prisoner considerably changed his dress with a view to prevent his being identified, and also that Hughes, when the prisoner returned to the house after the robbery, declared that she had no knowledge of him, and, therefore, no recollection of his ever having been in her house.

The jury found Beachey and Davis *guilty*, and *acquitted* Stone.

The chairman sentenced Beachey and Davis to be transported for ten years' each, and said that Hughes ought to have been subjected to the same punishment.

— RIOTING AT SHEFFIELD.—
The Chartists held a "silent meeting" in Sheffield, and paraded the town. Disturbances ensued on that and the next night. A pistol was fired in the square, and several windows were broken with stones. The next day, the magistrates issued placards, cautioning all persons against attending such meetings. The assistance of the dragoons having been required by the magistrates, they appeared in front of the Town-hall soon after eight o'clock; and thence proceeded to the square, attended by the police. About 2,000 persons were assembled in the square, in darkness, for the gas had been put out. The cavalry immediately proceeded to clear the ground, while the police followed the crowds along the avenues. Many of the Chartists took to the churchyard, from whence they let fly tremendous volleys of stones. They were, however, driven out by the police. From many other points

showers of stones were thrown, and it was said that some of the people were armed with pikes. One man was captured with a shillelagh, loaded at one end with lead, and the other end containing the tang of a pike, which had evidently been recently broken off. A dagger fourteen inches long was also found, which appeared to have been thrown away. The town continued to be in a state of disorder for two or three hours. About nine o'clock, Mr. Palfreyman, while in front of his house, overheard some of the crowd propose to "serve him out;" when he immediately seized the foremost of the party, who were about breaking his windows; and the man directly struck him a violent blow upon the face. Mr. Palfreyman, in return, struck the man a violent blow with a stick which he had in his hand, and knocked him down. Some of the man's companions then fell upon Mr. Palfreyman, and severely bruised and cut him about the face and head, until assistance arrived, on which they decamped. Soon after the military and the police had retired, intelligence arrived that a large body of persons had collected together in what is called the Doctor's Field, near the Lead-mills. The magistrates, the military and police, immediately proceeded to clear the place; and on their arrival at the bottom of Arundel-street, they were assailed by a volley of stones, which were thrown under cover of the darkness by a number of rioters, who had concealed themselves in the various passages and corners in the neighbourhood. In consequence of the darkness, it was impossible to reach the Doctor's Field; and the soldiers and police commenced clearing the streets in

the neighbourhood; in which, in the course of a short time, they succeeded.

— **SUICIDE.**—The death of a young woman named Margaret Moyes, who was killed by leaping or letting herself fall from the top of the Monument, excited extraordinary interest in the metropolis. During the whole day, an immense number of persons, principally females, crowded round the Monument to view the scene of this shocking act of self-destruction. The day following, a coroner's inquest was held at the Old Swan Tavern, Fish-street Hill, and authentic particulars stated to the jury.

Thomas Jenkins, door-keeper at the Monument, deposed as follows: The deceased asked for admission about ten o'clock on Wednesday. She inquired if two females and a gentleman had been there waiting for anybody, as she had come with them by a steam-boat, and was to have met them at the Monument? Jenkins said nobody had been there; and then after waiting a minute, and exchanging a few words with him, she paid her sixpence and walked up the steps. Her conversation was rather jocular, and her countenance smiling: she appeared to be quite rational. In about a quarter of an hour, the witness heard a body falling. He went to the door, and found the deceased lying with her legs across the door-way, and her head pointing towards Fish Street Hill. Her left arm was several feet from the body, and a good deal of blood flowed. He found a rope, with a large knotted loop at one end, tied to the railings of the gallery: she must have concealed the rope about her person. Her bonnet and veil, with a waistband and pair of

gloves, were lying in the gallery, near the door.

The next witness, Thomas Crawley, described the fall—

"I live in Monument Yard. I saw the deceased in her descent, when the body arrived within two yards of the railings at the bottom of the column; but I could not see her after she passed the square part of the building. I ran round, and found her on the ground. In her descent I saw her turn round twice, and she made motions with her arms."

Mr. James Bowen, oil and colour-man, Panton-street, Haymarket, was acquainted with Margaret Moyes and her family—

"I knew deceased perfectly well: she was going on for her twenty-second year, and was the daughter of James Moyes, baker, of Hemming's Row, St. Martin's-in-the-fields. The only thing that can lead me to account for the act of self-destruction is, that Mr. Moyes has a large family of daughters growing up, and that lately, the necessity has been seen of some of them going from home to get their living. Since this necessity has become obvious, I noticed that deceased had become very low-spirited. Margaret was the first for whom a situation was to be found. The mother is dead, and the father is bedridden, with a family of six children. I saw her last on Monday at her father's. A memorandum-book was found on the mantel-shelf of her father's room. In it was this memorandum—"You need not expect to see me back again, for I have made up my mind to make away with—Margaret Moyes." She had no sweetheart; and a ring, found on the marriage finger of her left hand, was given her by her sister. She

had been drinking tea on Tuesday evening with that sister, who was married. Margaret was a quiet-tempered young woman, and had been of cheerful disposition. It was intended to get her a situation in a confectioner's shop. There was no reason that they should be turned out of the house they occupied. On the subject of going out to a situation being mentioned to her, I heard her say, 'I take it to heart; I cannot get over the feeling, and yet I am aware it is the right course.' When deceased left this sister on the previous evening, she kissed her two or three times more tenderly than usual. They had arranged to go out for a day together; and when the elder sister asked whether it would be on the next day, deceased replied, 'Oh no, not to-morrow; let it be on Sunday.' I am told that no branch of the family has been subject to insanity. A gentleman, captain Beavan, lodged in the house, but was going to leave. There was nothing between him and Margaret. Her absence on the Wednesday until the memorandum book was found, created no anxiety in her family, as she said she was going out for the whole day, in consequence of an invitation she had received two or three days before."

Christiana Moyes, a younger sister, and other witnesses confirmed the above statement.

The jury found a verdict of "temporary insanity," and, on the suggestion of the coroner, added a recommendation to the corporation of London to place a railing round the top of the Monument, so as to prevent the recurrence of similar acts.

It was said, that the only other instance of suicide committed in

the same way, occurred on the 18th of January, 1810, when Mr. Lyon Levi, a diamond-merchant, leaped from the top of the Monument, and was dashed to pieces.

12. DEATH BY LIGHTNING.—We have to record here the death, by a remarkable accident, of Mr. James Walker, of Arbroath. Mr. Walker had been in Montrose on business, and while returning in the evening on horseback, a vivid flash of lightning startled the animal when passing the bridge of Rosie Mills; and, after rearing and plunging for a moment, it sprang over the parapet-wall of the bridge into the den below. The fall, we are informed, is nearly thirty feet; and Mr. Walker survived the accident only a few minutes. The horse was killed on the spot. This lamentable event threw a great gloom over the entire community of Arbroath. Mr. Walker was an active and enterprising merchant, and took a warm interest in every thing relating to the prosperity of the burgh.

— SUDDEN DEATH.—We extract the following from the Dundee Chronicle :—"On Thursday (the 12th instant,) afternoon, a young lady, Miss Millar, daughter of the late Mr. Millar, rector of the grammar-school, Dundee, went with one of her sisters and a neighbour to the lodgings of the rev. Mr. Burns, to converse with him on her spiritual condition. While he was speaking to her she fell down, apparently in a fainting fit; but, on medical aid being called in, it was discovered that she was dead. As this melancholy event has caused a great sensation in the town, we shall, in giving an account of it, adhere, as nearly as possible, to the rev. gentleman's own words; but we must first tell

how he introduced it. On Thursday evening the usual 'revival' meeting was held in St. Peter's Church, when Mr. M'Allister delivered an address, after which Mr. Burns went into the pulpit, and prayed that 'the death—the temporal death—of some might be the blessed means of bringing thousands to life.' When the prayer was over, he produced a letter which he had received, part of which he read, nearly as follows :—"The bearer of this is the young girl, to whom, two or three weeks ago, you spoke on the subject of her soul. In the evening address you took occasion to mention the circumstance. She has since attended the prayer meetings as often as possible, and the result has been a most wonderful change for the better in her temper, which used to be irritable. On Sabbath last she attended divine service; and after the congregation was dismissed you again spoke to her and gave her a tract. On Monday evening she went as usual to the prayer meeting, and was much affected. She was praying for her father on Tuesday morning; but, alas! when she was thus interestingly engaged, intelligence was brought that her father had been found drowned. (Great excitement among the audience.) The first words the poor afflicted child spoke were—'Oh, it is not his body, it is his soul I grieve for.'" (Sighs.) After a pause of a few seconds, Mr. Burns said—"My dear friends, the Lord is teaching us in a very remarkable way. On the day that I had an opportunity of addressing some of you in the churchyard (fair day), I observed a lady near me; and the next day I discovered that she was in eternity—I trust in heaven. (Another

pause.) My dear friends, many came as usual this afternoon to converse with me, among others a young lady, who, after waiting some time, came into my room, and said with deep emotion, that she was afraid she had not really come to Christ. I thought she had come to Christ; for I had had many interesting conversations with her, and I had great reason to believe, that she was one of the first fruits of this work at present going on. I began to speak to her a little calmly, and said, she ought to have good reason for saying so. I took a tract, and writing her name upon it, gave it her, with a promise to pray for her—a promise which I can never now fulfil. I wrote out a few texts, which I thought suitable for her case, and gave them to her with the tract; but I was struck to see the tract fall out of her hand. (Considerable excitement, sighs, and also an exclamation of 'Oh, Lord!') She sank down upon the ground. Her sister and another neighbour came in from an adjoining room. She appeared to be in a fainting fit at the time. A doctor was sent for, and when he came to see her, he found she was in eternity! (Great excitement.) My dear friends, when I came to this meeting to-night, I left two of her sisters, weeping indeed, but weeping tears of joy, for they believed she had gone to Christ. She died without a struggle, and was so calm, that the medical man standing by thought she was in a fainting fit; but when he began to bleed her, he found there was no blood. Many things will be said about this; but I cast the case upon the Lord. One of my friends said to me, 'It is a pity she died in your lodgings.' 'No, I said'

'it was no pity; I give glory to God for it, for making me a witness of an end so calm.' The Lord will, I hope, lead us to improve this event. I can say no more my dear friends.' Mr. Burns then sat down. He immediately rose and gave out a psalm, which having been sung, the congregation dispersed. We understand these revival meetings continue to be held every evening, commencing about seven, and ending between ten and eleven o'clock."

It is right to mention in connexion with this circumstance, that a *post mortem* examination was made of Miss Millar's body, and that two medical men (Dr. Caruthers and Dr. Lyall), gave as their opinion, that a disease of the heart, of a character to induce apoplexy, had existed for a considerable length of time.

12. ROBBERY AT A CLUBHOUSE. —The policeman on duty in Pall Mall, about seven o'clock in the morning, observed marks of blood on the door of the United Service Clubhouse; and on making his way to the steward's, Mr. Fenn's, bedchamber, found that person lying on the floor, insensible, and bleeding profusely from wounds in the head. The cash-box was open, and empty. A surgeon was sent for; and other wounds in the arm — inflicted with some blunt weapon — were asserted to be discovered. Five or six door-ways, through which the robber had to pass, and a small sliding box, from which the key of the outside door had been taken, were marked with blood. Mr. Fenn's deposition was taken down, as soon as he recovered his speech. He said, that after he had been, as he supposed, about an hour in bed, he was suddenly awake by receiving

a severe blow on the side of his head, with, as he believed, a stick, on which he instantly jumped out of bed, when he was immediately seized by two men, with whom he struggled for some time, but was eventually compelled to desist, in consequence of receiving the blows already described over the head and arm, which knocked him down and deprived him of his senses, in which state he must have remained till discovered by the servants. Mr. Fenn appeared to be unable to give any description of the robbers by whom he had been attacked. Mr. Fenn stated, that on retiring to rest he locked the door of his bedroom on the inside, and the result of the examination of the room by the police after the occurrence, proved that no violence had been used in opening it, nor had there been any force used in the opening of any of the locks of the other doors through which the perpetrators of the outrage must have passed in their escape from the premises. Nothing had been removed from the room except the cash and notes from the cash-box, which was not broken open, as was at first supposed, but had been opened by the proper key, which Mr. Fenn stated must have been taken from the pocket of his trousers by the thieves. Neither the struggle nor his cries were heard by any of the other inmates of the establishment. Another singular circumstance was, that the bell rope, which hung by the side of the head of Mr. Fenn's bed, was found cut off, and lying on the floor.

The whole of the servants, thirty and forty in number, were examined, but their answers were so plain and straightforward, that

all suspicion was removed from any of them.

The committee of the United Service Club, determined, for the satisfaction of all parties to call in (in addition to Mr. Fenn's medical attendant), the aid of Mr. Bransby Cooper, who, upon examination, pronounced Mr. Fenn not to have been seriously injured.

Mr. Fenn stated, that when he was attacked, he received so violent a blow upon the arm, as to have completely paralysed him; and that he likewise received another blow with the same instrument upon the forehead, which knocked him down and stunned him. Under these circumstances, it appeared somewhat extraordinary, that there were no contusions apparent, either on the forehead or the arm, both of which appeared in their usual state, except the forehead, upon which there were two or three scratches, all of which speedily healed.

There was about 127*l.* in the cash-box, but not more than about 79*l.* belonged to the club, the remainder being the private property of the wounded man.

At an extraordinary meeting of the committee of the club, a searching investigation took place into every circumstance connected with the affair, which ended in the dismissal of Mr. Fenn. He had been connected with the club for about fourteen years.

— ASSAULT IN PARIS.—Galigani's Chronicle mentions, that a few evenings ago, as an English gentleman named Horley was walking with a friend through the Rue St. Honoré, they were jostled by three men of the lower orders at the corner of the Rue de l'Echelle; and, on their com-

plaining of such conduct, one of the assailants took a cane out of the hand of the English gentleman, and struck him over the face several times, whilst another hit his companion so violently in the mouth as to break one of his teeth. Fortunately, a patrol of the police was passing at the time, and arrested the offenders. It has been remarked, that in no European capital is there so little accommodation and civility shown to each other by passengers in the streets, as in Paris.

13. SEDUCTION.—At the Liverpool police-office, a distressing case of seduction came under the notice of the magistrate. The unfortunate young lady was not, judging from appearance, more than sixteen or seventeen years of age, possessed of considerable personal charms, and was being educated at a highly-respectable boarding-school in the vicinity of Edge-hill at the time of the occurrence, at an expense to her mother of little less than 160*l.* per annum. The father of the young lady was said to be abroad, and held a commission in the navy. Soon after she came to Liverpool, she was introduced, at her mother's house, to a medical man of middle age. The intimacy thus formed, was subsequently carried on by the defendant after the young lady left her mother's house, and his appearance in the neighbourhood of the boarding-school was very frequent. Ultimately the young lady was decoyed from the school by her seducer, and she became pregnant. When these facts came to the ears of the mother, the poor girl was forbid the house; and, being deserted by her betrayer, was compelled from necessity to seek refuge in a house of ill-fame. She

had appeared at the Duncan-street Bridewell, charged with attempting to annoy her mother by getting into the house; and, the latter refusing to see her, the interference of the police became necessary. The mother, a woman of very respectable appearance, was present on the occasion, and in reply to a question put by the magistrate, stated, weeping bitterly, that she had not seen her daughter for four months. The magistrate represented to her, that the poor girl had been wandering about the streets, and asked if she knew the state in which her daughter was? The daughter said weeping, that her mother would not see her. The mother expressed her determination not to take her home, and Mr. Rushton expressed his regret, that in the present state of the case, he had not the ability to interfere. If the girl became chargeable to the parish they must let him know. The mother then left the Court in tears, followed, after a short interval, by the unhappy girl herself, who appeared to labour under great mental excitement.

14. NATIONAL CONVENTION.—At a meeting of the society which arrogates to itself this appellation, it was moved by Mr. O'Brien, and seconded by Dr. Taylor, "That this convention be dissolved on or before the 14th inst." On a division, the numbers were, for a dissolution, 11; against it 11; the chairman gave the casting vote in favour of the dissolution. The dissentients made a formal protest,—

"1. Because the convention does not possess the power of self-dissolution, inasmuch as it was created by the people in public

meeting assembled ; and no other power but that which called it into existence, is authorised to destroy the same.

"2. That the convention having adopted the democratic principle in its widest extent, and by all its previous acts endeavoured to carry out the same, have, by this proceeding, renounced that principle, and established the oligarchic in its stead.

"3. That the constituencies ought to have been consulted as to their wishes, for dissolution or continuance, and the result been in accordance with the decision of the majority of such constituencies, and this necessary step was not taken.

"4. That the delegates of the convention present being only 23, which being only a minority of the whole body, the dissolution was in fact carried by only a fraction of the people's representatives.

"5. That a measure of this vast magnitude and importance being carried by the casting vote of the chairman only, ought not to have passed, but at once been referred to the decision of the people.

"6. That no provisions having been made by the appointment of a council, or other nucleus for conducting the necessary correspondence, to sit till the assembling of another convention, every tie has been broken which held the people and their chosen representatives in a sacred bond for carrying out their wishes and the recovery of their long lost rights.

"7. That the convention being elected, amongst other business to carry out the people's charter till it became the law of the land, and such most important object not being accomplished, it is a

dereliction of duty at this eventful crisis, and cowardice in the cause of chartism, if not crime, tending to create suspicion and distrust in the minds of the people, and to impede, if not destroy, the progress of reform.

"T. R. SMART.

"CHARLES H. NEESOM.

"J. JACKSON."

Sept. 14.

14. ACCIDENT TO SHIPPING. —

The ship *Sophia*, bound for Sydney, New South Wales, with emigrants, came in collision with the *Lord Goderich* passenger ship, for Port Philip, early in the morning, off the Isle of Wight. She was fallen in with by the *Adelaide* steam-ship, belonging to the Dublin steam company, in the greatest distress, being almost a total wreck, her bowsprit and cutwater having been carried away, together with her foremast ; one fluke of her anchor was buried in her bows, the other broke off by the extreme violence of the concussion. The *Adelaide* took her in tow, and brought her safely to anchor off Gravesend, whence she was towed to the St. Katharine's Docks, to discharge her cargo, for the purpose of having an overhaul, and the damage repaired. Fortunately, the passengers were in their berths ; had they been on the deck at the time of the accident, the consequences might have been dreadful. The *Lord Goderich* put into Portsmouth, with the loss of bowsprit and cutwater, and other serious damage. The latter vessel had been upwards of a fortnight in reaching the Isle of Wight, owing to the tempestuous weather.

— DEPARTURE OF THE NEW ZEALAND COLONY. — The directors

of this company, together with a vast number of persons interested in the colonization of New Zealand, made an excursion to Gravesend, for the purpose of inspecting the ships, which, under the auspices of the company, had been freighted with emigrants, to that distant region. The *Mercury*, steam-boat, was employed for the occasion; and, though one of the largest vessels engaged between London and Gravesend, her decks and cabins were completely thronged by the multitude of persons who had been invited, every one of whom had a deep interest in the object of the expedition. The *Mercury* herself was gayly dressed in the colours of all nations; the red cross of England floating supreme above the rest. The three ships it was intended to visit—the *Adelaide*, the *Aurora*, and the *Oriental*—were moored immediately below the town of Gravesend. As the steamer approached, the emigrants on board these ships crowded upon deck and received the directors with loud and hearty cheers. The object of the directors upon this occasion, was twofold,—first, to see that their instructions for the comfort of the emigrants upon the voyage, had been rigidly carried into effect; and, secondly, as the sanction of government had been withheld from the undertaking—as no steps had been taken to secure the administration of English laws upon a soil, which Englishmen were thenceforth to inhabit—to obtain, if not from each of the emigrants, at least from the great body of them, a voluntary agreement to a charter or code of laws, laying down regulations for the maintenance of order, and establishing a ma-

chinery for the administration of law and the enforcement of justice. The first ship that the steamer ran alongside was the *Adelaide*. She is a fine vessel, and had been admirably fitted up for the purpose for which she was employed. The arrangements for the comfort and convenience of the passengers of the lower as well as the higher class appeared to be complete. As soon as the directors, accompanied by the cabin passengers, and a host of visitors, had reached the poop, the labouring emigrants with their wives and children, were summoned into the waist; when they were addressed by Mr. G. F. Young, the principal director present. He adverted, in the first instance, to the anxiety of the directors to do everything in their power to promote their comfort and welfare. "But," continued Mr. Young, "their views for your good are not bounded by providing for your departure from this country—they cast their eyes beyond the present, and contemplate what your position may be in that far-distant land where as yet no such provisions have been made as in every well-organized society are absolutely indispensable for the maintenance of order and the protection of property. The time cannot be far distant when the government will do that which it is bound to do; but, in the mean time, I propose to you to enter into a voluntary agreement, to sign the document which I now hold in my hand, and which under the peculiar circumstances in which you are placed, I am sure you will find indispensable to your security and happiness." The honourable gentleman then read the document at length. It was in substance as follows; that all

the persons and parties to the agreements should submit to be mustered and drilled in such fashion and at such times as should be deemed necessary to the security of all; that if any person committed an offence against the laws of England, he should be liable to be punished in the same manner as if the offence had been committed in England; that a committee to conduct the government of the colony be appointed, with power to make rules, and to appoint officers; that an umpire be appointed to preside in all criminal proceedings, and, assisted by seven assessors, to decide on the guilt or innocence of the party accused; that where the assessors (whose office would be similar to that of jurymen in this country) pronounced a party guilty, the umpire (whose office would be similar to that of a magistrate or judge) should state the amount of punishment to be inflicted; that in all civil proceedings the umpire should proceed alone; that the general committee should have power to appoint five of its members to constitute a committee of appeal, whose decision in all cases should be regarded as final; that the committee should have power to call out the armed inhabitants, whenever the occasion required; and, finally, that it should have power to levy such rates and duties as may be necessary for the good government of the colony. "Thus, no person can be left in any case, civil or criminal, without the means of prompt redress. It is to be observed, however, that these rules are only intended to remain in force up to the time when British law shall be established under the authority of the British government, in that mag-

nificent colony which you are to have the pride and happiness of being the first to found."

This address, which was very attentively listened to, was received with a hearty cheer. Every man seemed to concur in the propriety of the proposed code of laws; and when it was placed upon the capstan for signature, there was not one who hesitated to put his name to it.

This part of the business being concluded, the steamer next ran down to the Oriental, who received her with a salute fired from half-a-dozen large guns upon deck. The emigrants on board the Oriental, were of a very superior class. They were chiefly young men and women of from twenty to thirty years of age. Here, too, were a number of Highlanders from the estates of the duke of Sutherland: a fine, hardy, set of fellows. Great care appeared to have been taken to secure their comfort. They were clad in one uniform dress—a blue jacket and cap, and tartan trousers—every thing upon their backs appeared to be perfectly new. The noble duke's agent who had accompanied them from Scotland, remained with them until the expedition took its final departure. Mr. G. F. Young, in going through the same ceremony on board the Oriental, that had previously been gone through on board the Adelaide, addressed himself particularly to this body of men. The code of laws was received on board the Oriental, and afterwards on board the Aurora, with the same expressions of approbation as on board the Adelaide. It was signed by every man present. Each of the three ships having been visited in turn, the steamer

— HURRICANE. — The *Royal Gazette* of September 17th, published at Hamilton, Bermuda, gives particulars of a dreadful hurricane which commenced about seven o'clock on the evening of Wednesday, the 11th instant.

"Dense clouds, which had been gathering, burst suddenly into a violent storm of wind, rain, and lightning. This lasted till about nine, when the weather moderated a little. Soon after ten the wind increased, and continued with more or less force till about three o'clock the following morning, when it shifted from E.S.E. to S. and on to S.W., and blew with, if possible, greater fury than it had done during the night, till near seven, when it again moderated slightly for about two hours. The gale was then renewed, and raged for a considerable period with much vehemence; but at noon, having veered to the westward, it settled down into moderate breezes. Sad, indeed, was the appearance of our parish at that hour. Scarcely a house had escaped injury; some were levelled and others unroofed, and the side-walls rent to the foundation; walls and fences in every direction prostrate; thousands of stately cedars were either torn up with the roots, split in pieces or broken like reeds; orange, lemon, lime, peach, and banana trees shared the same fate. The front street of the town was covered with branches or entire trees of the pride of India, whose cool and refreshing shade was so much resorted to. Portions of verandas, shutters, blinds, sign-boards, &c., were to be found in every direction. A spacious gap was made by the force of the waves in the eastern part of the wharf; and the salt-spray with sand from the

South shore was carried upwards of a mile overland, and, with few, if any exceptions, the water in the tanks throughout the island became brackish.

"From every parish in the island the like reports have been received. We have heard of several instances where whole families were driven from their dwellings to pass the night in the open air, exposed to the pitiless pelting of the storm. The roads have in many places been rendered impassable by the fallen trees and walls."

The public buildings and shipping in the port were much damaged.

19. ASSAULT.—At the Mansion-house, Thomas Trimmer, a man of respectable appearance, was charged with assaulting Mr. Lewis Lloyd, the senior partner in the banking-house of Jones, Lloyd and Co.

Mr. Lloyd said, Mr. Trimmer formerly kept an account at the banking-house in which he was a partner. The defendant subsequently became a member of the Stock Exchange, but was not allowed to remain in the house; was unfortunate, and obliged to take the benefit of the insolvent act. He had, upon closing business with the house, left a balance of 111*l.* 2*s.*; for which he mentioned he had given a check which would be paid in. The check, however, never arrived; and the amount, of course, lay in the hands of the cashier. Some weeks ago, the defendant called at the banking-house to make inquiry about the money; but as it was known that he came out under the insolvent act, it was considered necessary to obtain some further intelligence about the correctness of the claim, and he was told to produce his

books. That morning the defendant called between ten and eleven o'clock, and waited in the banking-house until witness entered. At that moment the defendant said, going up to witness, "If I am rightly informed"—and struck him over the head with an umbrella. The defendant was then given into the custody of a policeman.

The lord mayor asked Mr. Trimmer, whether he had put the 111*l.* 2*s.* in his schedule in passing through the Insolvent Court? Mr. Trimmer answered, that it had not been put in his schedule, but he did not mean to appropriate the money. He considered that Mr. Lloyd was the cause of annoyance to him, and he was much exasperated against that gentleman. After some consideration, the prisoner was sentenced to be fined 5*l.*, or to be imprisoned two months; and to find security, himself in 100*l.* and two securities of 50*l.* each, to keep the peace towards Mr. Lloyd for twelve months. Neither money nor bail was offered, and Trimmer was removed in custody.

19. FEROCIOUS ASSAULT. — In the central criminal court, Jean Jacques Courben, a Frenchman, aged sixty, was tried for grievously wounding Augustus Gougenheim. Both parties were foreigners, and an interpreter was sworn to translate the evidence to the prisoner.

Augustus Gougenheim, the prosecutor, deposed as follows.—I am a Frenchman, and have lived for some years in this country as an interpreter and translator of languages, and also as an agent. The prisoner at the bar, about seven or eight months ago employed me to go to the Court of Requests, Westminster, to answer

a summons which had been taken out against him, and he agreed to give me 3*s.* for my attendance, and 3*s.* for translating a document for him. I could not go to the court myself, but I sent my wife, who succeeded in gaining time to pay the debt. I applied to the prisoner several times for the 6*s.*, but without effect, and I saw no more of him until the 17th of August last, when I met him in Oxendon-street, Haymarket. I crossed the street and said to him, "When do you mean to pay me what you owe me?" He replied, "Never." I then said, "Then I shall summon you next Monday to the Court of Requests," upon which the prisoner said, "Before you do, I'll smash or crush your face;" and he then stepped back two paces, and tried to conceal his cane, which he then suddenly raised, and thrust the point of it into my left eye, the sight of which I have lost from that time. I was for three weeks under the hands of the surgeon, who was at one time fearful that the wound would end in lock-jaw or brain fever. I gave the prisoner no provocation whatever, either by word or deed, before he pushed the stick in my eye. Three witnesses corroborated the above statement. They agreed that there had been no previous violence whatever on the part of the prosecutor.

Mr. Thomas Wood, surgeon in Pantons-street, Haymarket, proved that the prosecutor was brought to him on the day in question. His left eye was thrust out, and the sight of it was gone for ever.

The defence of the prisoner was, that seeing the prosecutor in Oxendon-street he endeavoured to avoid him, when the prosecutor followed him across the street, and,

after demanding the money, he said; "wherever I meet you I will treat you as one of the *canaille*;" upon which he (prisoner) replied, "You may do as you please;" and he again endeavoured to avoid him, but the prosecutor persisted in following him, and having repeated the insulting expression, he struck him a blow on the side of the head, and repeated it before he (the prisoner) used his cane.

The prisoner called no witness to prove his statement.

The jury found the prisoner guilty of striking the prosecutor, with intent to do him some grievous bodily harm, and he was sentenced to be transported for fifteen years.

When the interpreter communicated the sentence to the prisoner, he appeared quite astonished, and, raising his hands and eyes, declared before God and the court that he was innocent.

20. ARREST OF MR. F. O'CONNOR.—Mr. Feargus O'Connor was arrested at Manchester on a judge's warrant, for a seditious conspiracy, seditious speeches, &c., and appeared at the borough court before the mayor and a full bench of magistrates, to enter into recognizances. He entered into his own recognizance for 300*l.*, and found two sureties in 150*l.* each, to appear at the court at Liverpool.

21. DETERMINED SUICIDE.—Hiram Simpson, superintendent of the Bolton police, formerly a police inspector at Liverpool, a man under thirty, and who had held a good character, shot himself in an eating-house at Liverpool. Though a married man, he had formed an attachment to a young woman named Christiana Leader, of which his wife was cognizant, and it was the source of

disputes between them. From letters read at the coroner's inquest, it appeared that Simpson had deliberately resolved to destroy himself, being unable longer to endure the "horrible misery" resulting from the conflict between duty and inclination. He gave direction respecting the settlement of his accounts, as superintendent of police, in a letter to the mayor of Bolton: and in an affecting epistle to his wife, which we subjoin, explained the motives of his intended suicide, and earnestly entreated her to take care of his daughter. He wrote his adieus also to his sister and two brothers. From his conduct the day before it was suspected that he meant to have killed Christiana Leader as well as himself; for he hurried her on board a Woodside boat, and conducted himself in such a way that she imparted to a passenger her fears that he intended to do her some injury. The passenger interfered, and Simpson was sent ashore, while the young woman proceeded to Woodside. Next day he went to the eating-house, which was kept by Leader in partnership with another woman, and there shot himself through the ribs. The verdict was "Self-murder." The jury relinquished their fees for the benefit of the widow.

"September 29.

"My dear wife and child,—Our miseries have been so manifold through my iniquities; our wretchedness has been so much on the increase of late, that I can no longer endure myself, my misery is so great, and yet I can blame no one but myself for it all. Oh! my dear wife, when I think how happy we might have been, but for one circumstance, (going to Liverpool); when I think how very,

very happy we might have been in each other's love—but why do I dwell on this subject? Things are done and they cannot be undone. When you receive this I shall be no more; but recollect, my dear wife, and my dear child, it is not for the sake of her alone that you accuse me of, that I commit so rash an act. No! no! it is that I have taken all things into consideration, and I find that my life is a drawback upon you, and upon that individual we have so often quarrelled about, by removing which I shall, in sacrificing my life, render you all happier than you are at present. You, my dear Harriet, will, by and by, when my person is somewhat forgotten, do much better in the world without than with me, for you know how peevish, spiteful, cross, and wicked I am, and you know how much worse I get every day. Oh! Harriet, you must forget that even such a one as me ever lived. You must, you must, and you must endeavour yourself to improve in cleanliness, and do learn to write, &c. Oh! Harriet, forgive me telling you all this, but I do, even now, think if you had but tried, you might have altered me; but it cannot be done now, therefore I shall say no more on that head, but confine myself to what I ought to inform you of—that I loved Chrissy. I have told you repeatedly and often, and I have begged you to proceed in a certain line of conduct towards me, and I would be as kind to you as I possibly could. You did not proceed as I desired you, but quite contrary, and thereby added fuel to an already blazing fire. Oh! Harriet, why did you persevere in such a line of conduct? But 'tis done, and all is passed now. When Chrissy and

me were friends I could endure all with a growl now and then; but when she too quarrelled with me, and all things rushed across my mind, thinking how many years we might have to live together, I drew these conclusions, that unless I could forget Chrissy we should be miserable; that as long as you thought I loved her, you would be jealous, and we should be wretched. Now, you would always think so, and I cannot say I should ever cease to love her; but, Harriet, I do love you, and my dear child, and also Chrissy. Forgive me; I am too free, but I am writing for the last time to you.

“Bring up Polly as a good dear babe, and let her be taught cleanliness, and carefulness. Pay some little attention to my last request, in looking to yourself, and save all you can, even to a pin's worth. God bless you, my dear, dear wife and child.

“Yours, “HIRAM.”

— SUICIDE IN AUSTRALIA.—Accounts from the above colony, which reached England at this time, mention a very deliberate suicide which had taken place at the new settlement of Adelaide, on the 31st of March. A Mr. Kenneth M'Iver shot himself through the heart. He left the following paper.

“Be so good as not to let my fate be known till you have consulted with my friend Mr. Gooch. My countrymen in a foreign land will perhaps pity rather than blame me, (although, indeed, the action is to be blamed) and not give publicity, through the papers, to this sad affair. I am, in every respect, unfit for the country; and yet I could not leave it. May God forgive the rash act. I

am not very fit to appear in his presence, but I trust in his infinite mercy. I owe no man any ill-will; and if my friend Mr. Gooch will do as I have requested him, I will owe no man *much*. Ambition was the lure which brought me here: would that I had been content to join my dear parents in the wilds of America! then would I have been happy; but here, without the sweet counsel of some judicious friend, and wanting all manner of soothing kindness, I have felt truly miserable. How short-sighted I was, to come without sufficient capital to settle down here! but I was a stranger to the enormous expense of conveyance from the port here, as well as the difficulty of securing warehouse-room to any extent."

The deceased appeared to have possessed considerable property, and did not destroy himself from want, or the dread of its immediate approach. The police inspector found about 7*l*. in his pocket, with a letter addressed to Mr. Charles Gooch.

"30th March, 1839.

"My dear Sir—You already know that I have placed sundry goods under care of Mr. Morphet for sale—

40,000 slates	£181	10	0
80 tierces beer	196	7	6
798 deals	240	7	9

£618 5 3

consigned to me for sale by Messrs. M'Leod and Co., Fenchurch-street, London; also sundry goods marked W. S. (in Diamond) L., consisting of hardware, saddlery, paints, and oil, cheese, pickles, fruits, &c. and one box of shoes—value of the whole about 210*l*.; these are the property of Messrs. William Steel and Co., merchants, Liverpool,

and the proceeds of both lots to be remitted to the respective parties when sold.

"There is also another bill of lading for 432 deals per Planter, which I enclose; and you will do the best of it for account of those concerned—Messrs. M'Leod and Co. I authorize you also to open all letters which may come for me, and act up to the wishes of the writers as you would for yourself, taking charge of consignments and acting in all respects for me as you would for yourself under the circumstances. I believe there will be a small lot of warm shepherds' clothing from Messrs. George Smith and Co., Liverpool; to whom the proceeds must be remitted when disposed of."

The jury found a verdict of *felc de se*.

— MURDER OF A POLICE SERGEANT, IRELAND.—A dreadful murder was perpetrated about half-past ten o'clock at night near the gateway of the residence of Mr. Callaghan, M. P., Glanmire-road, Cork. A Mr. Trenwith, on returning home from that city, was attacked by three robbers, and stripped of his clothes and money. A party of the constabulary from Glanmire, being on patrol duty, hearing the noise, ran to give assistance, when the ruffians attacked them, and beat and so lacerated the sergeant of the party (Lawler) that he died on the spot. His companion was some time before he was considered out of danger.

An inquest was held on the body on the Monday following, when the following evidence was given. Mr. Robert Trenwith, who was obliged to be led into court, and appeared to be suffering much, being sworn, said—I reside at Glen-

town-cottage, near Glanmire, and was on my way walking home on Saturday night from Cork, which I left at about half-past eight or nine o'clock, when I heard footsteps behind me walking quickly. I thought the parties were walking remarkably quick, and I made up my mind that they would not be idle if they overtook me. I proceeded at a very quick pace, and having passed Mr. Callaghan's gate at Lotabeg, the sound of the footsteps died away, and I abated my speed. I had not gone far, perhaps at Mr. Green's residence, when I received a heavy blow on the left side of my head, which threw me from the side path, and I fell on the ground. When turning myself I got three or four blows successively, all on the head. There were three persons over me, each of whom struck me, I should say, as he came up. I think they all used bludgeons, I felt quite stunned. When a little recovered, I said I couldn't have been the person for whom they were looking, inquiring, at the same time, what they wanted? They said they wanted whatever I had. They then turned my trousers' pockets inside out and rifled them; I had 5s. or 6s. and a few keys about me. They then pulled off my coat, broke the guard-chain of my watch, which they also took. It was a gold watch. I had no particular mark on it. They then took off my waistcoat and black silk cravat, and left me lying on the road, when one of them said, "Perhaps his boots are some good," and they returned and took them also. They then proceeded towards Cork, on the footpath, quite leisurely. In a short time I recovered myself, and ran towards Glanmire, with a view of

getting the aid of the police. A little before the turn at the Metal-bridge I met two of the police. They were patrolling, having their carbines. I told them that I had just been beaten and robbed; they appeared to be very anxious, and ran towards Cork. We soon met an outside car. The police turned it, and we got on it. The driver galloped off towards town—the deceased urging the driver to hurry, saying, that if he overtook the robbers he would be well paid. We soon saw three men walking on the footway towards town. We lost sight of them at the turn at Mr. Callaghan's gate. I looked at the gate, and remarked that they must have concealed themselves. The deceased ordered the driver to stop, when we all jumped off, and saw them hid in a wicket of the gate, and we immediately ran at them, I following close to the police. Harford had fixed his bayonet to his carbine. I cannot say if the deceased had placed his bayonet on. The men came forward as we approached. I think they were the first to strike. I was attacked by one of them, with whom I struggled, he all the time striking me with a heavy weapon, I think it was a bludgeon. At this time the police and their antagonists were stretched on the ground. One of the former, Harford I think, cried out for me to assist. That was out of my power, as I was fully engaged with my own antagonist. He did not succeed in knocking me down. The moment we got off the car the driver and car disappeared. I continued the struggle with my opponent until a part of his coat gave way, when getting the power of his arm he knocked me down with the weapon with

which he had been beating me. The knock-down blow I received on the head. I was much stunned; when I recovered I saw the three men over the policemen who were stretched on the ground. I got up and ran off to the station-house, where, having reported what had occurred, the police started instantly for the scene of conflict. The whole transaction at Mr. Callaghan's gate occupied, I should say, something about ten minutes. I was not long at the station when Harford ran in—he said, “I’m just murdered—send for a doctor at once.” “How is the other policeman?” said I, “Oh, he’s dead,” was the reply, “and I got away as well as I could.” The three men with whom we had the struggle at the gate were, I have no doubt, the same men by whom I had been robbed.

Sub-constable Michael Harford, of the city police.—I knew the deceased, sergeant Lawlor, of the police. He was superintendent of the Glanmire station, which consisted of four men, including the deceased, who, with myself, was on patrol on Saturday night, in pursuance of orders given in consequence of outrages having been committed on the road three weeks previously. We started from the station between nine and ten o'clock, each armed with a carbine and bayonet. I had no ammunition, nor had sergeant Lawlor, that I am aware. When near the Metal-bridge saw a gentleman running towards us. Witness here recounted his meeting with Mr. Trenwith, and their pursuing the robbers, and continued as follows. When we arrived at Mr. Callaghan's gate we missed the men, and I asked where they

were? There was no answer, and the carman drove on a short distance, when I saw three men lying or sitting down in a very compact form, as if to conceal themselves. The car stopped, and the constable and I jumped off, and ran towards the men. I called on them to stand and surrender. I then pointed my bayonet towards one of them, who drew a sword, and made a thrust at me, but missed. I then gave him a dart of the bayonet, I thought that would have had the effect of inducing them to surrender, but I was mistaken. He cried “Murder, you vagabond, are you about to murder me?” I don't know what my reply was. I then presented the bayonet again. He parried it, closed me, and gave me a stroke of the sword on the shoulder. We were now so close to each other that he wrenched the bayonet off the carbine, with which (the bayonet) he attempted to stab me. I threw away the carbine and seized the bayonet, but, in spite of me, he inflicted a wound with it on my hip. I then caught the bayonet, and we both fell in the struggle. We got up, and we both held the bayonet. I think we were in a contact fifteen minutes. At one time he wrested the bayonet, and I ran off, and I again faced him. We both screamed several times during the conflict; upon my facing him the last time I caught the bayonet in my hand, after having got a slight wound in the head. I had nearly succeeded in possessing myself of the bayonet, when he called one of his companions to his aid. I was then attacked by both, the latter giving me several blows on the head with a large stick. My first assailant, seeing that I

was not knocked down, asked the second man why he did not stretch me? He said he couldn't help it; he then threw off his coat, caught the stick in both his hands, and knocked me down. When down I held the bayonet, and continued my hold while down, the second man striking me all the time with the stick. I got up, and having extricated myself from both, I ran on towards the police-station. I was much stunned and had bled profusely. I had called several times for the deceased, but I could get no answer. Even before the second man came up I called, but got no answer. I never saw sergeant Lawlor alive since. When we first came up to the men I saw a flash fired off as if from the pan of a firelock. This was certainly pointed at the deceased. After this I heard the constable screech, and saw him backing towards the wall at the river side, where he fell. During the entire affair I didn't see him engaged. I called on Mr. Trenwith several times, but he didn't come to my assistance. I was not aware—for I couldn't see him—that he was attacked himself. Our object was to take the men into custody; and not to injure them if we could avoid it. I could have run the man through and killed him at the onset, if I thought proper. I got no aid from the carman. We had not our cartouch boxes. I have ammunition, but I had it not then.

The jury immediately returned a verdict of "Wilful murder against some person or persons unknown."

— **INQUEST.**—An inquest was held at the Half-way-house on the Kensington-road, on the body of Lucy Brown, a remarkably fine

looking woman, who had committed suicide by leaping off the bridge into the Serpentine river. The evidence disclosed, that she had lived servant with Mr. Ingall, wine-merchant, Thames-street; who, under promise of marriage, seduced and deserted her in the most unfeeling manner. He kept up a correspondence with the young woman under the name of James Johnson, after she left his service; and the following letter, read in court, was that which appears to have driven her to despair—

"Saturday, 14th Sept. 1839.

"My dear Lucy—I am extremely hurt at your letter that I got yesterday. You ask me what my intentions are towards you. Good God! you must know them as well as I do. All I can say is, that if, unfortunately, you have a child, I must of course support it to the best of my means; but if, on the contrary, you are mistaken, I think it best for both of us to separate; for my mother told me this morning, that, rather than let me be connected with you in any way, she would prefer following me to the grave. I only wish I was there. I am at present in such a state of mind, that I have been going to make away with myself; for I have got enough poison in my desk to kill a dozen people, and if I do make the attempt, I shall do it effectually.

"I remain, yours ever,

"JEM—"

"Why did you not tell me of it last night, when I saw you?"

A letter found upon the corpse of the deceased, and addressed to J. J. R. L., ran thus—

"My dear James—Do not expect to see me any more; for my

life has been a misery to me since last Saturday, that I received your letter. I have been in the utmost distracted state, and a lonely wanderer over the face of nature; and whatever my fate [here occur some words which cannot be clearly deciphered] and that is fixed on yourself, for I can never cease to love, but with life itself. Give my kind love to all that asks after me. Good by, God bless you.

"LUCY BROWN."

"10, North Street."

Some of the jury wished this Mr. Ingall to be brought before them; but the coroner said there was no use in examining a man who could write such a letter as they had heard read. Verdict, "Temporary Insanity."

23. ABDUCTION OF A CHILD (IRELAND).—Mr. R. Dillon Boylan, accompanied by surgeon Wright and Dr. Henry Haliday, secretaries of the Mendicity Association, and Mr. Norman solicitor to that institution, applied at College-street-office, Dublin, to lodge informations against Peter Hornidge, John Hornidge his son, and Thomas Flynn, secretary to the Protestant Orphan Society, on a charge of felony, for decoying away Jane Forsythe, an orphan under the age of ten years, from the institution. Mr. Boylan stated, that the proceeding was adopted with much reluctance by the Mendicity Society, but was pursued in obedience to a resolution of the committee, in consequence of the felonious abduction of one of its orphans. It appeared both from the counsel's statement, and from the evidence afterwards adduced, that John Hornidge was the instrument employed by some un-

known person to carry away the child for the purpose of proselytising it. He first met the girl in Bridgefoot-street, and endeavoured to prevail on her to accompany him. He then tried to drag her away by force, but the child was rescued by the bystanders, and sent to the institution. Foiled in this attempt, John Hornidge, a few evenings after, went to the neighbourhood of the institution in order to ascertain by inquiry where the orphan resided; having discovered where Jane Forsythe lived, he pretended he was sent by Mr. Cottle, the superintendent of the Mendicity, to bring her to him. The orphan-keeper refusing to let her go to him, this attempt was likewise unsuccessful. Hornidge, determined not to be baffled, went on the following day to the neighbourhood of the Mendicity, and offered one of the children of the society a sum of money if she would bring her to him; she refused the temptation, and accordingly another scheme was adopted. A companion of Jane Forsythe was sent to invite her to have tea at her house; she had scarcely arrived when Hornidge entered, and, enticing her to his house, the child never afterwards returned to the institution. The committee of the Mendicity having ascertained some of the circumstances, deputed the secretaries to demand the child from Hornidge, who at first denied knowing anything of the transaction, but eventually admitted, that he had sent the child to Mr. Thomas Flynn, of York-street, secretary to the Protestants Orphan Society, and the latter gentleman stated, that he immediately sent her fifty-three miles

from Dublin, in the care of a person belonging to the society of which he was an officer. The two Hornidges were bound over to stand their trials at the ensuing commission; and Mr. Boylan not pressing the charge against Thomas Flynn, it was dismissed.

— THE ROYAL GEORGE.—Colonel Pasley, R. Art. has been for some time engaged in an attempt to blow up the wreck of the Royal George at Spithead. During the months of August and September several small charges of 45lb. of powder and one of 260lb. were exploded with effect, and masses of timber were thus wrenched from the ship, and hauled up. After some ineffectual attempts at more extensive operations, on the 23rd Sept. a cylinder, containing 2,320lbs. of powder, was carefully lowered to the bottom, where it was placed alongside the most compact portion of the wreck, which had been discovered by the divers. When everything was ready, the vessel in which the voltaic battery was placed, was drawn off to the distance of 500 feet, which is the length of the connecting wires, and instantaneously on the circuit being completed, the explosion took place. At first the surface of the sea, which had before been perfectly smooth and calm, was violently agitated by a sort of tremulous motion, which threw it into small irregular waves, a few inches only in height. This lasted for three or four seconds, when a huge dome of water made its appearance, of a conical or rather bee-hive shape. At first it appeared to rise slowly, but rapidly increased in height and size till it reached the altitude of twenty-eight or thirty feet, in a tolerably compact mass. It then fell down,

and produced a series of rings, which spread in all directions. The first, or outer one of these, having the aspect of a wave several feet in height, curled and broke, as if it had been driven towards the shore. Neither the shock nor the sound were so great as had been expected by those who had witnessed the former explosions by Colonel Pasley, where the quantity of powder was only 45lbs.; but the effect produced on the water at the surface, considering that the depth was ninety feet, was truly astonishing. Colonel Pasley has completely established his command over the application of the voltaic battery to sub-marine purposes. Immense quantities of the wreck floated after the explosion. On the next day the mainmast was picked up, entirely covered with barnacles, all alive, some measuring eight inches in length. On the 26th two large guns were raised—one being a thirty-two pounder (iron), and the other a brass gun, thirty-four pounder—the former being as secure in the gun-carriage (of elm) as the day it was placed there. The capstan and tiller were brought on shore on the 27th, both in good preservation. The divers went down at every slack water, and made fast chains to whatever projecting substance they could find, when a strain was hove on it by the derrick erected in one of the lighters, and in this way a large vessel had been fully loaded. Several brass and iron guns, the latter with their carriages, have been recovered, together with sundry knees, riders, and sleepers; among other matters a length of junk, and two large copper fish kettles, several silver shoe-buckles, &c. Those

parts of the iron which had been exposed were reduced to a soft substance like plumbago; but those which had been under the mud were as hard and quite as entire as ever. This remark applies also to every description of timber. For example, to the capstan, under the drumhead of which, with its welps, was almost worn away, while the lower drumhead and all its other parts were as fresh and firm as when they were first made! Two tillers have been got up, quite entire, and much iron work, including the shank painter, but the whole worn to a thread. The value of the guns and copper already recovered, exceeds 1,000*l*. It appears, that when Colonel Pasley undertook to clear Spithead of the nuisance of this wreck, it was presumed from official data, that thirty-one iron and thirty-two brass guns were still remaining in her, and that the recovery of these, together with the copper sheathing, would go far towards paying the expense of restoring to use a large and important portion of the noble anchorage of Spithead.

— CONFLAGRATION AT NEW YORK.—A dreadful fire occurred in this city on Monday evening (the 23rd September.) It originated in the National Theatre, the largest and most magnificent in the city. That edifice was consumed, worth from 90,000 to 100,000 dollars; and it was said, that Wallack, the manager, would lose some 25,000 dollars in scenery and property. The same conflagration also burnt three churches — viz., the French Protestant church of Le Saint Esprit, which cost 200,000 dollars; the African church, and the Dutch Reformed church; besides several houses.

The entire loss was calculated to be from 300,000 to 400,000 dollars.

— SLAVE QUESTION. — THE AMISTAD SLAVE SHIP.— One of the most remarkable cases on record arising out of the Slave Trade, excited at this time the greatest interest in the United States.

The *Amistad*, a schooner from Cuba, with a number of slaves on board, had on the 26th of August preceding, been run into and stranded off Suffolk County, Long Island, where the crew, all black but two, commenced taking in fresh water and purchasing provisions. As they appeared to have abundance of money, and altogether the circumstances of such a crew and vessel had something suspicious about them, a good deal of curiosity was excited amongst the people on shore, who, at length, notwithstanding the precautions of the blacks, who sought jealously to cut off all intercourse with the vessel, succeeded in getting alongside, when two white men, Spaniards, presented themselves on deck, imploring protection. This being reported to the authorities, measures were taken, and the schooner taken possession of. From the Spaniards thus liberated, and from the vessel's papers, the following details were gathered:— About two months before, the *Amistad* sailed from Havannah, with an assorted cargo of various kinds of goods, and the slaves on board, for another part of Cuba, close by the plantations of Senor Ruiz, the owner, one of the Spaniards thus found. The blacks were captives recently imported into the island of Cuba from the coast of Africa, who, after a few days' residence in the barracoons or slave-market of Havannah, were

purchased and shipped on board the schooner. A short time after leaving that port, the slaves, headed by a resolute man among them of the name of Cingues, rose and murdered the captain with all the crew, except Ruiz and another Spaniard named Montes. Their lives were spared for the sake of navigating the vessel. The negroes desired only to return to their own country, but of the course to be pursued for that end, they and their leader understood no more than that it lay eastward. Early each morning they themselves took the helm and steered in the direction of the rising sun, that is eastward, or compelled Montes to take that direction with menaces, and sometimes, on well-founded suspicion of treachery, with blows and wounds. During the night, however, Montes with his companion as regularly changed the schooner's course, so as to bring her almost to the same point where she stood in the morning. In this manner, every hour in fear of death, on several occasions meeting vessels which the blacks compelled them to avoid, and having endeavoured on more than one occasion, to run the schooner on shore when in sight of it, but always frustrated, the Spaniards stated that they had been driving about for two months, when at length they were enabled to effect their aim and strand her off Long Island. When discovered, Montes, who seems to have been more peculiarly the object of suspicion with the blacks, was in a deplorable state, with several dangerous wounds inflicted with Spanish knives. Ruiz, the owner, on the contrary, had been treated with uniform kindness. On these facts becoming known, the vessel was taken pos-

session of, and the blacks, for safe custody, removed to Newhaven, where they were placed in confinement, but, as it appears, treated with attention and humanity. There they were to remain for trial on a charge of piracy on the high seas, brought against them by the owner, and on this trial hinged many contested points, both of jurisdiction in the court of the United States, and with reference to the nature of the crimes of murder and piracy charged, and the right of property in the blacks, claimed as slaves by the Spanish consul on the part of the asserted owner. These points involve, of course, important questions of international law, which were earnestly engrossing the attention of the legal authorities in the United States. The process for recovery of the blacks under the designation of "property" was considered to be so invalid, and so unlikely to succeed in the civil courts, that the criminal prosecution for murder and piracy was preferred by Ruiz and Montes, for the purpose of gaining time for a formal interference in their behalf for the restoration of the slaves as property. It was difficult to understand how the charge of murder could be supported in the case of Cingues, more particularly challenged as the one who actually slew the captain, as he had been seized, made a slave, and as such was being forcibly carried away from Havana by that captain, against the well-known laws of the very country where these acts were taking place. No other possible means existing to procure liberty but by violence, no other verdict it was supposed could be returned by an honest jury but justifiable homicide.

With respect to the piracy, it was in proof in the confession of Ruiz and Montes themselves, that no act of that nature had been committed; that contact with all other vessels met had been sedulously shunned by the blacks; that in one instance only, where, being in want of fresh water and provisions, they had traded for them with an American schooner met at sea, the articles had been duly bargained and paid for; and that, on arrival off Long Island, the same had been practised with the inhabitants on the coast. The sole act of piracy which could be pretended, therefore, was the taking possession of the vessel, solely with the view of transporting themselves back to their own country, from which they had been violently and illegally carried off: the vessel so seized was engaged, with equal illegality, in a contraband traffic, and as such forfeit to the laws of Spain; and therefore, the charge of piracy, it was thought, could still less be sustained than that of murder.

The chief ambiguity in this extraordinary affair, seemed to lie with the state of the American law on the subject.

But the special and most difficult question would, it was anticipated, arise in case of a demand on the part of the Spanish government, claiming that the blacks should be delivered up to it to be dealt with criminally under its laws. Of the course which the United States government might see fitting to pursue in such a contingency, no means existed for arriving at a conclusion.

The counsel for the negroes having denied the jurisdiction of the District court, and demanded the discharge of the prisoners by

habeas corpus, the case was brought before the Circuit court, on the 23d of September, Judge Thompson presiding. He decided that the District court had jurisdiction. Some doubt arising as to a question of fact, that is to say, whether the capture was made within the district of New York or Connecticut, the court ordered the marshal to make the necessary enquiries, and govern himself accordingly.

24. MURDER OF A WIFE BY HER HUSBAND.—In the Central Criminal court, James Curley was tried on a charge of killing his wife. It appeared that the woman was in the habit of spending at the alehouse the money her husband gave her to purchase necessaries. One night he came home from work, and finding no supper and his wife lying on the bed intoxicated, he struck and kicked her several times. A woman, lodging in the next room, heard Curley's wife say, "Curley, that blow will be the death of me; you have done it, you know you have." The woman soon died; and a surgeon gave an opinion, that her death was caused by a rupture of the spleen. The prisoner received a good character; and his counsel, Mr. Payne, addressed the jury in his behalf, urging them not to return a verdict of manslaughter, as from the recent instance of Coker, he inferred no mitigation of the penalty could be hoped for.

The jury found the prisoner *guilty* of an assault only; and he was sentenced to six months' imprisonment, with hard labour.

26. FÊTE AT BRANXHOLM.—The duke of Buccleugh's return to Scotland was celebrated on this day by a large body of his tenants and friends, assembled in the de-

mesne of the far-famed Branhholm. A splendid pavilion was erected for the entertainment, in the form of an ancient baronial hall, 101 feet by 70, and capable of accommodating 1000 persons: the pillars supporting the roof were an imitation of veined marble; three large chandeliers, and small ones attached to each pillar, illuminated the apartment; and its sides were festooned with scarlet drapery. Over the chair was a buck's head with splendid antlers; over that, a star of variegated lamps; then the ancient war-cry of the clan of Scott, "Bellenden;" and at the top, the motto, which the duke of Buccleugh has adopted in imitation of his forefathers in dealing with his tenantry—"Live and let live." Over the croupier's table a plough was represented in variegated lamps, and the words, "Welcome home" painted above it. From the extremities of the Buccleugh property, representatives were sent to this gathering; and strong was the muster from Roxburghshire, Dumfriesshire, and Mid Lothian. Even the few fishermen who rent his grace's fishing grounds at Newhaven had their deputy at the dinner. Among the distinguished guests were the earls of Home and Dalhousie, sir James Graham, sir James Malcolm, Mr. Pringle, M.P., Mr. Hope Johnstone, M.P., Rutherfords, Spottiswoodes, Kers, Bailies, Maxwells, Macdonalds, Crichtons, Elliots, and Wallaces.

The character of the toasts and speeches may easily be imagined. The duke of Buccleugh spoke with the heartiness of friendship and true regard for his tenantry, mingled with the proud consciousness of chieftainship and the possession of princely demesnes.

Sir James Graham alluded happily to the ancient border forays—

"Allusion has been made to former days, and to my ancestors. On many occasions, in ancient days, they rode to Branhholm; some of them never returned to tell the tale, and many of them to the last hour of their lives regretted the boldness which brought them here. This is not my lot on the present occasion. I shall never forget the day when I rode to Branhholm; but I shall not regret it, for the spectacle which I have here witnessed has been most gratifying and satisfactory to me; and cold indeed must that heart be which did not expand with the acclamations which have resounded through these halls. My ancestors rued the day, as I have told you, when they crossed the border; for they found your ancestors formidable enemies. But we live in happier times; and I can now look across the border, and see them locked together in a fast and warm and constant friendship."

An immense number of toasts were drunk, and the claret and toddy progressed in rapid and constant circulation round the board.

—FESTIVITIES IN THE HIGHLANDS OF SCOTLAND.—We may here mention an entertainment given by the duke of Bedford and Edward Ellice, Esq., M.P., this season, in the glen of Badenoch. The party at Doune (the duke of Bedford's) and at Invershie House (Mr. Ellice's) had made up a purse of fifty guineas, to be given away in prizes among such of the young men of the district as should distinguish themselves at athletic sports. The exhibition took place at Mr. Ellice's; whither the duke

and duchess of Bedford and their friends repaired. An immense concourse of persons was present, as the news soon spread over the hills, and the people poured forth to witness the splendid array of Sassenach lords and ladies, and partake in the amusements of the day. A hogshead of whiskey was provided by the generous entertainers, and abundance of bread, beef, and mutton. Tents were erected in the glen; and as the ladies arrived, the pipers announced the event in the liveliest strains of the pibroch. The sports commenced with a foot-race up a steep mountain—one of the highest of the Grampians. Seven highlanders started, the distance back and forward being better than four miles. The winner of the first prize (which was 3*l*.) came in to the pole in the short time of twenty-two minutes and thirty-five seconds: the successful competitors of the second and third prizes arrived very soon afterwards, keeping side by side the whole way until within a few seconds of their arrival at the starting-place. The marquis of Abercorn and some of the party then had some excellent races on their own horses; and a variety of sports followed among the people, such as throwing the hammer, putting the stone, leaping, &c. In the evening there was a splendid display of fireworks, and the whole concluded with a supper and ball. The arrival of the duchess of Bedford and party at the ball was announced by a novel spectacle—a great number of sky-rockets being let off, which met high in the air, and united in the form of a large gothic arch. The marquis of Abercorn and lord A. Russell appeared in full Highland

costume. The dancing was kept up with great spirit till near daylight. During the night, several shots were fired from a field-piece on the lawn; which echoing amongst the stupendous mountains that encircle the glen, produced a striking and grand effect.

27. FATAL MISTAKE.—Mrs. Earle, mother of Mr. Earle, a surgeon of Cheltenham, died this week, from the effects of wrong medicine ignorantly administered by a nurse. Ten grains of muriate of morphia, dissolved in an ounce of water, had been put into a phial which had been used for a draught and was labelled “sedative mixture.” Another draught in a larger phial was prepared; but the nurse, supposing the morphia was the draught, gave it all in one dose to Mrs. Earle at night. Next morning it was seen that the patient had not changed her position, and was breathing with difficulty. The stomach-pump and other means were used, but without effect, and Mrs. Earle did not long survive. A coroner’s jury returned a verdict of “Accidental death.” Mrs. Earle was upwards of seventy.

29. MURDER IN PHILADELPHIA.—A horrible event took place in this city. An Englishman named Wood, who had for many years kept a pastrycook’s shop in Chesnut Street, deliberately murdered his daughter, a young woman of great personal attractions, and who bore a very good character.—The following account is from an American paper:—Among her many admirers was a young man of the name of Peak, who succeeded in securing her affections. About two weeks since they were privately married, and on Thursday evening the young wo-

man left the establishment of her father, and joined her husband. On Saturday she returned, and all the circumstances were made known to the former.

The demeanour of the father to his daughter after this was morose and unreconciling, although she strove by every means to avert his ill feeling. On Monday morning, however, about ten o'clock, as the daughter was sitting in the room with her father, and some other members of the family, he walked deliberately up to her, and, drawing a pistol from his bosom, placed it almost against her forehead, and shot her entirely through the brain. The ball passed through the skull, and fell in another part of the room.

The murderous weapon was at once thrown from the hands of the desperate man, and himself secured. The sheriff of the city was immediately made aware of what had occurred. On ascending to the apartments where the deed was done, he found the murderer standing, pale, and terribly agitated, with his back to the fireplace, and his daughter lying prostrate and bleeding on the floor, with her head near his feet. On the entrance of the sheriff, Wood lifted his arm as if in the act of firing a pistol, and exclaimed, 'I am the man, I shot her, I shot her!'

— **POLICEMAN KILLED.**—We have to record another instance of one of this useful body losing his life in the execution of his duty.

William Aldridge, a policeman of Deptford was violently assaulted by a mob, who endeavoured to rescue from his custody, William Pine a woodcutter. The mob consisted of between six and seven hundred persons, who pelted Aldridge and Stevens another police-

man, with loose stones. One of the stones struck Aldridge on the head, he fell down stunned with the blow; and though he recovered sufficiently to speak a few words, died the next morning.—Seven men, including John Pine, brother of William, were taken into custody. A coroner's inquest was held, and a verdict of wilful murder was returned against four of the prisoners. viz. ;—John Pine, William Pine, John Burke, and William Calvert, the latter as the principal, and the three former as accessaries, and they were removed to Newgate, there to await their trial.

OCTOBER.

1. **VALUE OF A RECEIPT.**—In the Insolvent Debtors Court, an applicant for release was asked if he had never been charged with felony? His reply disclosed a case of great hardship. He said he had been charged by the landlord of his house at Stafford with stealing a hearth-stone. He had actually purchased the stone, and placed it on the hearth: he was, however, tried at the sessions, and convicted; he was sentenced to four months' imprisonment; and after he had been confined two months of the time, the bill and receipt for the identical stone was found in his house, and forwarded to the recorder who tried him. That functionary lost no time in laying the circumstances before the secretary of state, and he was speedily liberated from the gaol.

— **POISONING.**—An inquiry of a serious nature occupied the attention of Mr. Carrick, coroner for Cumberland, which terminated in the committal of John Graham,

carter, and dealer in meal, to the gaol at Carlisle, for the wilful murder of his wife, Jane Graham. Graham and his wife had been married about ten months, during which time they resided at the small village of Ullermire, where he kept a shop for the sale of meal and flour, and deceased taught a school. She was pregnant and near her confinement. On the Monday week previous she was slightly indisposed with symptoms of approaching labour. According to the husband's statement, she had on several occasions pressed him to bring her some medicine from Carlisle, and he had always forgotten to do so until the last named day, when he purchased one pennyworth of cream of tartar, and another one of magnesia, from Mr. Harrison, druggist, in Scotch-street, which he brought home and gave to her; that she gave him some of it in warm milk, and mixed another part in treacle for herself. She took part of it, and they both partook of more next morning at breakfast time, immediately after which he left home. It appeared that within an hour after breakfast deceased was seized with violent and frequent vomitings, purging, and pain in her chest, with other symptoms of having taken poison, which continued without intermission till about eight o'clock the same evening, when she died, after twelve hours of most intense pain and suffering. Arrangements were made by Graham to have her buried the next day; but Mr. Patrickson, one of the magistrates for the county, having learned that she had died under very suspicious circumstances, caused the parish officer to give notice to the coroner, who, after examining a

great many witnesses, directed a *post mortem* examination to be made. Three surgeons deposed, that on a careful analysis of the contents of the stomach, they found a large quantity of arsenic, sufficient to cause the death of half-a-dozen persons, and which, without any doubt, had been the cause of the death of the deceased. A variety of circumstances going to establish the guilt of the husband were deposed to by several witnesses, and the jury returned a verdict of wilful murder against him.

— ASSAULT.—The magistrates at Walthamstow petty sessions were engaged for some time in the investigation of a serious charge of assault. Frederick Hagger, a sailor, and William Hagger, a labourer, had been engaged the night before in two desperate conflicts with policemen. First, they attacked James Reynolds and William Lawrence, two constables, who attempted to take them into custody for creating a disturbance; and kicked and beat them with sticks so that their lives were in danger. The depositions of the constables were read, the men themselves being unable to appear. The next battle was with Goodwin, a sergeant, and two other policemen, who endeavoured to secure the prisoners. This conflict took place at Hagger's house, whither the prisoners had gone and armed themselves with pokers. The sergeant used his cutlass against Frederick Hagger and wounded him severely. In the scuffle, however, he lost his cutlass, and then with a pair of handcuffs struck Hagger under the eye so sharply that the prisoner gave himself up. William Hagger also surrendered. Both prisoners were

so weak from the wounds they had received that they could hardly stand. They were committed to the infirmary of Ilford Gaol, until the fate of the constables Reynolds and Lawrence should be known.

2. REVIVALS.—At a meeting of the presbytery of Glasgow, the reverend Mr. Burns gave in the following narrative of the effects produced at the Kilsyth and Glasgow revival:—

“Special instances of good done are naturally called for. Many memorable cases can be produced. Selection is difficult. A woman from Airdrie was observed by a few around her to be much impressed while Mr. W. C. Burns preached. She at length left the field, and retired for prayer. After a little, she was followed by some praying people, who conversed with her. She seems to have undergone a complete change, and went away in a composed frame. A young gentleman from Glasgow, with whom I and Mr. Brown conversed, who had come with some indefinite notion of good or of being pleased, went home a new man in Christ Jesus. I know of several cases of whole houses being really converted. Mrs. H. has been converted in a very wonderful way: she had been a very passionate, regardless character, who with her husband and family, spent the sabbath-day in drinking, and other tainted enormities: two pious women, unknown to each other, had called upon her, telling her that they could get no rest till they came to warn her of her sin and danger: the poor woman thought within herself, if these two are so concerned about me that they cannot get rest, what should be my con-

cern about myself?—she attended a prayer meeting, came home at midnight, and roused her family to tell them of her change of mind. There seems a very remarkable work of grace with the husband, and other branches of the family.

“A. B., collier, aged fifty, a month ago, was upon the roadside on the way from the church, in great agony of mind, when I passed homewards. I, at first, thought he had been in drink; but it turned out that he had, Hannah-like, been pouring out his heart before the Lord, having got a sight of his sinfulness; he went to his Bible, and prayed; got heartening as he expressed it, from the thought that had come to him, ‘Shall I be a castaway?’ Enabled to lay hold on Christ as the ransom, and as having paid the debt, he said, ‘Come life, come death, I will depend on His merits and mercies;’ resolving to be with Christ henceforward. On receiving his token, he said, ‘I used to run from you, but am now happy to meet: I served Satan fifty years, I am now the Lord’s.’ His two companions, J. S. and T. A., gave very satisfactory accounts of their change of heart, and are also communicants. The accounts of other cases more detached and interesting must be deferred.”

After the usual business of the presbytery had been finished, a private meeting was held, at which certain extravagancies and improprieties of language lately used at revival meetings were discussed. All the members who spoke, strongly condemned every thing like eccentricity or extravagance on the part of those taking part in the revivals, and expressed the great necessity that existed for the

display of more than ordinary prudence. The late hours to which meetings had recently extended were disapproved of, and a recommendation given, that in future, sermons should be delivered only every alternate evening, and the other evenings devoted to conversation with such persons as might choose to come forward.

Attempts were made about this time to induce similar displays of enthusiasm at Aberdeen; they were not however successful; the clergymen of the town, both churchmen and dissenters, in general standing aloof from this movement; or warning their hearers against the extravagances of revivals, rather than encouraging them to exhibit external marks of excitement.

— **QUARREL BETWEEN GENTLEMEN.**—About one or two o'clock in the morning, an altercation ensued at the Albion Tavern, Great Russell-street, Covent-garden, between Captain M'Neal, of Devonshire-street, Portland-place, and two gentlemen, said to be officers in the army, which terminated in blows being struck by each party; and during the contest, Captain M'Neal was thrown over the bannisters down the well of the staircase, and sustained a severe fracture of his right leg. He was conveyed in a cab to Charing-cross hospital. The cause of contention was said to be a lady.

3. MURDER AND SUICIDE.—The village of Rufford about twelve miles from Preston, Lancashire, and the neighbourhood, were shocked by the report that a man named Robert Dawson, a labourer, in the employ of Sir T. D. Hes-keth, Bart., of Rufford-hall, had murdered his wife, and had after-

wards put an end to his own existence. It appeared that on the evening in question, Dawson came home about nine o'clock, when his wife was undressed, preparing to go to bed. He inquired for some senna, which he had requested her to send for to Ormskirk, by a neighbour, and on her acquainting him that she had forgotten to send for it, high words, and ultimately, a violent quarrel, ensued. From the appearance of the wounds, and other circumstances, there appeared to have been, on the part of the wife, stout resistance, and that a severe struggle took place before the wretched murderer accomplished his purpose. The children were awakened by the scuffle, and they gave an alarm, when a sister of Dawson's entered the house, followed immediately by other persons, relations and neighbours of the deceased. When these persons entered, they were affrighted by the horrid spectacle of both husband and wife walking about in the kitchen, with their throats cut. Dawson, alarmed, it is supposed, at his wife's approaching end, and his own wound not being sufficiently deep to cause death, escaped during the consternation, and went immediately and hanged himself in the shippon adjoining the house, with a cow tie. When Mr. Barron, surgeon, of Tarleton, arrived shortly afterwards, the woman was not quite dead. She was perfectly sensible, knew her relations and friends, and told her mother that the quarrel was simply on account of her not having sent for the medicine to Ormskirk. The poor creature asked for something to drink, and some water was given to her, but as not only the windpipe was cut,

but also the passage to the stomach opened, the water ran out of the aperture down her neck. The bed on which she lay, was completely saturated with blood, and there were several cuts on her chin, and on the lower part of her throat. Her right eye was also black, and much swollen. Search being made for Dawson, he was found suspended in the out-house, and quite dead. The age of the man was about 37, and that of his wife about 40. The unfortunate woman was at the time in a state of pregnancy. Both of them had previously borne good characters, and the wife was spoken of by her neighbours as being of a very mild and patient disposition. Dawson was a favourite servant with Sir T. D. Hesketh. He was an active member of the Wesleyan Methodists' society, and had frequent prayer meetings at his house. He had also been, for about two years, a member of a temperance society. He was not supposed to be a passionate man, nor was he at any time, subject to insanity or melancholy.

— CORONER'S INQUEST. — An inquest was held at the White Lion, High-street, Shadwell, on the body of Sarah Smith, aged 45 years who was far advanced in pregnancy, and within a few days of her delivery, when she destroyed herself.

Hannah Watson, of Farmer-street, Shadwell, said, the deceased had been the mother of nine children, besides the one of which she was pregnant. She saw her alive for the last time on Wednesday week, and she then appeared much confused and affected in her mind, in consequence of the abuse and threats of two women named Culliford and Lamb. On

Thursday afternoon, the daughter of the deceased came to her in a state of great alarm, and she went to Mrs. Smith's bedroom, and found her hanging by the side of the partition to a rope made fast to a staple attached to the ceiling, and with her feet touching the ground. She cut her down, and found that she was quite dead.

The next witness was Sarah Ann Smith, the daughter. She sobbed violently, and it was with great difficulty, that the coroner elicited from her that her mother had been during the last fortnight very low spirited, and in a distracted state of mind. Mrs. Culliford and Mrs. Lamb, sisters, who lived close by, abused her mother, told her she had robbed her neighbours, and that the child of which she was pregnant was not her husband's. Mrs. Culliford knelt down and said she hoped her mother would be writhing in agony, and never close her eyes for pain.

Her mother had raved a good deal at intervals during the last fortnight, and said she was afraid they would drag her to prison, and that she should not get over her accouchement. She saw her mother alive for the last time at half-past 3 o'clock on Thursday afternoon. She was then very low-spirited, and retired to her bedroom to rest herself. A few minutes past five o'clock she went to her bed room with a cup of tea, and found her poor mother. Here the young woman sobbed loudly, and exclaimed, "Oh, my poor mother, my poor dear mother!" After some time she said, "I ran against my poor mother, gentlemen, she was dead and cold."

Mr. John Hopke, surgeon, had

attended the deceased for the last twenty years. He was sent for a week ago, and was afraid labour was coming on prematurely. The deceased said she had been abused by some neighbours, who had often told her her daughters were common street-walkers. He begged of the deceased to forget it, and be as calm as she could. On the Sunday deceased appeared so much recovered that he desired her to leave her chamber. The deceased was so very quiet and reserved in her manner, that one could scarcely observe the deep affliction she was labouring under. He was called to her on Thursday afternoon, and was grieved to find her dead. She had just been cut down. The child was dead. She was one of the best of wives, and the most affectionate of mothers. He had not the slightest doubt that the persons who abused the poor woman, and uttered such wicked imprecations, caused her to commit suicide.

The jury returned a verdict of temporary mental derangement, and requested the coroner to reprimand the two women for their gross conduct to the deceased. This was accordingly done, but, as might be expected from persons so wanting in common feeling, it produced little effect on them.

8. COURAGEOUS CONDUCT.-

During a late storm a French vessel was wrecked in the dead of the night in Weymouth-bay. A coast-guardman, named John Mantle, thinking he saw human beings moving on the deck, jumped into the raging sea and swam to her. On getting on board, he found two boys and the captain, who had broken his leg, on the deck. Mantle took the boys safely

to shore, and then returning to the wreck with a rope, which was made fast to the shore, he along the captain in a running tackle, and he was safely landed. The gallant fellow then groped in the cabins to find if any living being remained, and afterwards jumped into the sea, and swam to the shore in safety. Mantle's behaviour did not lose its reward; he received the silver medal and 5*l.* from the Royal Humane society; a like sum of money, and a bronze medal, from Lloyd's; a beautiful watch, with a suitable inscription, from the inhabitants of Weymouth; 20*l.* by vote of the lords of the treasury; and 5*l.* from the shipwreck association. Mantle, whose officers have promoted him for his courage, was also informed that the French government was about to reward him with a gold medal, &c. In returning thanks for the various rewards given to him, this brave man, with great modesty, assured the gentlemen that the result of his endeavours was his richest reward.

— MAN POISONED BY HIS WIFE.

—An inquiry took place before Mr. J. F. Osbaldiston, coroner for the county of Herts, at the Crown inn, Hitchin, into the circumstances connected with the death of Richard Brice, a tradesman of that town.

It appeared that about twelve months ago, the deceased became acquainted with a girl named Sarah Browne, whose parents did not bear a very respectable character in Hitchin; but, as she possessed considerable personal attractions, Brice was induced to marry her. The marriage turned out a most unhappy one; they were continually quarrelling; and before long Mrs. Brice left her husband, and

went to live with her father. At the time of the marriage, both parties were about twenty years old. Afterwards matters were made up, and they lived together again, but still very unhappily. Things went on in this way until Sunday, the 8th of September, when Brice had agreed to meet his mother, a female cousin, and some other members of his family, at Hitchin, and he did so, and in the evening he accompanied his cousin part of the way home. He was observed by a little boy, who went immediately to Mrs. Brice and told her that he had seen her husband walking with the wife of a painter named Easthall. This put her in a violent passion, and when the deceased came home at night a quarrel took place, and she was heard to make use of threatening language. Brice did not undeceive her as to who had really accompanied him on the evening in question, and under the impression that she had been truly informed, Mrs. Brice the next day went to the person referred to, and told her that it was fortunate she did not see her with her husband, for if she had she would have marked her, and made use of other expressions tending to show that she was highly exasperated at what had occurred. On the Tuesday following, while the deceased was at work, a little boy came to tell him to go home to dinner, and about half-past twelve o'clock he left his work for that purpose, being at the time in perfect health. He returned to his work, and in a short time was seized with cramp and violent retching, and the symptoms increased to such an extent that at length he was compelled to go home. As he was proceeding thither, he was met by his wife,

who was heard to say to him that he was not half ill enough, and that she hoped he would be a box of "cold meat" by the morning, and that she wished to be his cold nurse. On the same night she told a person who went to inquire after him, that "she did not think he would see Dick (meaning her husband) again soon." The deceased continued in dreadful agony until Wednesday, the 11th, when he died. The medical man who had been called in considered the case to be of such a peculiar kind that he expressed a wish to open the body; but this was resolutely opposed by Mrs. Brice and the relations, and on the Saturday following the deceased was buried in Hitchin churchyard. In consequence, however, of the rumours that were abroad, the coroner issued his warrant for the disinterment of the body, which was done, and a surgical examination of it took place. No external marks of violence presented themselves; but upon the body being opened, the medical gentleman was immediately struck with its extraordinary appearance, which could not be accounted for as the result of any apparent disease. There was, in particular, one bright yellow spot, presenting a very peculiar aspect. A minute analysis of the contents of the stomach took place, and at length the presence of white arsenic was distinctly ascertained, and the surgeon deposed positively that the man's death was occasioned by the administration of this poison.

The inquiry was adjourned, and some further witnesses were examined, but their evidence added nothing to the foregoing particulars. The deceased's wife, who was present, denied that she had ever threatened her husband. The

jury, however, returned a verdict of *wilful murder* against her.

6. **BENEVOLENT CONDUCT OF ALDERMAN PIRIE.**—This gentleman was alarmed, between four and five o'clock, by the noise of a person breaking into his house at Gravesend. With the assistance of a servant he captured the robber. In the course of the day the alderman went to see him in gaol; and there the man excited his compassion by a recital of sufferings and misfortunes, which, he said, had made him quite reckless. Having grounds for believing the story, alderman Pirie obtained his release from prison, procured him a berth on board a vessel for Sydney, and gave him an outfit for the voyage.

— **TRIAL AT MONTREAL.**—The newspapers of this date state that much excitement had prevailed at Montreal, in consequence of the circumstances arising out of the trial of Jalbert for the murder of lieutenant Weir. The jury consisted of nine Frenchmen and three Englishmen. The journals state that the trial left no doubt of Jalbert having killed lieutenant Weir, but the defence was palliatory, "on the ground of a state of war existing." The jury retired, and after a very long absence they returned to the court on the Monday night, and stated that they could not agree. The nine Frenchmen and one Englishman (or rather Scotchman) were for acquitting him, and the remaining two were for a verdict against him. The judge directed that the jury should be allowed a meal every day at twelve o'clock till they could agree. As they remained firm to the same opinions up to the following Wednesday, they were discharged, and a new trial was to be ordered.

On its being announced that the jury were discharged, there was a general rush upon them by the mob, and several of them were roughly handled. Some of them were beaten with sticks, and otherwise injured. The ten who were for acquitting the prisoner were all Canadians, except Atwater (an American) and a Scotchman. The two jurors who were for finding the prisoner guilty were carried home on shoulders of the loyalists. The judge saved himself from the mob by retiring to the house of a friend, and Jalbert was escorted to gaol by a strong party of grenadiers. Jalbert was an old man, about sixty-five years of age.

7. **ADDRESS TO THE QUEEN.**—A deputation from the creditors of the late duke of Kent waited upon her majesty to present an humble address of thanks for the payment by her of his royal highness's debts. It is said that a sum exceeding 50,000*l.* was furnished by her majesty's privy purse to carry this act of filial piety into effect.

8. **CHILD-MURDER.**—Helen Macdonald, nurse-maid in the family of the rev. Mr. Thomson, of Shettleston, near Glasgow, was committed to Glasgow gaol, charged with the murder of her own child, nineteen months old. She had had twins, by a man who absconded; one of the children died when an infant, the other was kept by a woman of the village, while Helen Macdonald was in service. She sent for the child to the manse, and then deliberately poisoned it with oxalic acid, which she had bought for the purpose three days before. She was said to be only twenty, of a mild and prepossessing appearance; her motive for the crime was supposed to have been a

desire to escape from the burden of supporting the child.

9. **COACH ROBBERY.**—A box, containing 5,000*l.* in notes and gold, was stolen from the Manchester and Staffordshire market-coach on the night of the 9th inst. The money was sent from a Manchester bank to a bank at Wanley, in the Potteries. The coachman took charge of the box, and placed it in the hind-boot. The robbery must have been effected between Macclesfield and Gosworth, but the box was found on the road not far from Congleton, with the principal part of its contents.

— **WINDSOR CASTLE.**—During the night, some panes of glass were broken in the window of the queen's dressing-room at Windsor Castle, nobody knew how, and some curiosity was excited on the subject. An inspector of police, however, on guard at the Castle, discovered the offender, who had been apprehended in June last for some offence, and more recently been imprisoned for breaking the windows of a chapel. He was arrested in London, and confessed that he had secreted himself in the Home Park, and had broken the panes with stones flung over the wall. The sentinel on duty must have been inattentive, or he would have apprehended the man; but nobody was aware till the next morning that the glass had been broken.

11. **CRUELTY TO APPRENTICES.**—The Limerick papers of the last week, announced that an atrocious conspiracy had been discovered, of which Mr. Philip Henry Holland, solicitor, and his wife Frances Holland, were to have been the victims. It was said that ruffians had arrived from a remote part of Ireland to murder Mr. and Mrs. Holland, and had actually got as

far as their bedroom-door, when finding it bolted inside, they ran away. From the proceedings in the magistrates court at Limerick, however, it appeared that the entire story of the intended assassination was fabricated by two children, apprenticed servants of Holland. These apprentices, Mary Ann Alcock and Henry Pujalas, had invented the story, and accused themselves of being accomplices, in order to get away from their master's house; where they were treated with a sort of cruelty recalling the celebrated Mrs. Brownrigg's treatment of her apprentices. They were flogged, often several times a day, with sticks, holly-switches, and whips of cord. A surgeon declared that he never saw a soldier's back after a flogging in a worse state than the poor girl's, her shift stuck close to her back, and the skin was torn off. The boy was scarcely fit to appear in court. Both the children were under thirteen years of age: they were emaciated, squalid, miserable little creatures. Had they not been at once put under medical treatment, Dr. Keating, physician to the City Gaol, said that mortification and death might have ensued. It appeared that on one occasion, Mrs. Holland had made the boy take an oath upon the Bible. The magistrates therefore ordered Holland and his wife to enter into recognizances, themselves in 500*l.* and two sureties of 250*l.* each, to appear for trial at the next assizes, for an assault with intent to commit grievous bodily harm, and Mrs. Holland for administering an unlawful oath. The decision of the magistrates was received with loud cheers by the auditors.

14. **THE SLAVER CATHERINE.**—We extract from the New York

Spectator of this date, the following account of the capture of a slave-ship, by the British brig *Dolphin*.

Frederick Adolph Peterson, master of the schooner *Catherine*, of Baltimore, was brought up and examined at the United States Marshal's office, on a warrant issued on the complaint of Robert H. Dundas, of her Britannic majesty's brig *Dolphin*. The *Catherine* had been fitted out at Havannah, cleared there, and the necessary papers obtained through the office of the American vice-consulate. The cargo consisted of tobacco and spirits; her crew of six American seamen and of twenty-five Spaniards. The latter were shipped, doubtless, for actual service on the coast of Africa. The *Catherine* is said to be owned by Messrs. Thomas Wilson and Co., of Baltimore, a branch of a London house. The clearance and necessary papers were obtained at the Havannah, by a person named Ting, who acted as their agent there. The *Dolphin* fell in with her on the 13th of August, off the coast of Africa, about twenty miles from the harbour of Quipo. She gave her chase, and compelled her to bring to by firing several shots. The *Dolphin* boarded her, and found, that though she was sailing under American colours, she had the necessary planks for a slave-deck, and all other equipments usually found on board a vessel engaged in the slave-trade. No slaves were found on board, however, but a negro boy, said to be the son of an African prince, whom they had shipped to be used on the coast of Africa. Among other papers on board, was the following letter of instructions.

"The main thing for you to do

on the voyage, is to be ready, in case you are boarded by a man-of-war, to show your log-book, (which must be regularly kept from the time you leave here,) your ship's papers, your charter-party for the voyage; your ship's roll and instructions: and you are in that event to make all concerned with you American sailors according to your roll—all the others are to be passengers. You are to be very careful that in any cross-questions you do not commit yourself. Always stick to the same story. When the vessel is discharged, you must at once cut your register in two pieces; one piece you must indorse, direct, and send to Messrs. Thomas Wilson and Co., Baltimore; the other piece you will bring with you, and give to me when you return here. You must be very particular about that, and do not let any time pass after the cargo is out before you cut the register in two pieces; and be careful to keep them separate: throw one piece overboard if you are obliged to by being boarded by a man-of-war."

The accused was committed, in default of bail in the sum of 3,000 dollars.

The supercargo of the schooner killed himself by cutting his throat.

— FIGHT BETWEEN RAILWAY LABOURERS.—A riot of a serious description occurred on the works of the Chester and Birkenhead Railway. It had its origin in the mutual animosity of the English and the Irish labourers employed.

It appears that portions of the line taken up by contractors had been sub-let, as is usual in works of that magnitude. One of the sub-contractors, named Graham, represented as being a strict mas-

ter, had engaged English workmen exclusively. This gave offence to the Irish labourers, who sought retaliation for this preference, as well as for former supposed grievances.

On Monday, the 14th, in consequence of Englishmen being exclusively employed at the middle portion of the line, the Irish labourers assembled at Childer Thornton to beat them off; in which they succeeded, by superior numbers and the employment of dangerous weapons. On the following day, the English mustered their forces and went along the line, from Childer Thornton towards Chester, with a determination to drive the Irish from the field, by way of retaliation. Near the former place they met the Irish, and a battle ensued between them. The Irish mustered about three hundred: the English about two hundred and fifty. The former were armed with pick-handles, shovels, and bludgeons. The English having only sticks, were overpowered. The neighbourhood was in great alarm, and several of the belligerents were severely hurt.

Information of the disturbance having reached the ears of the magistracy of Birkenhead, Mr. Palmer, the superintendent of the constabulary force of the district, was despatched to the scene of disturbance, with the comparatively few officers under his command. They reached Childer Thornton, at about four o'clock, on Tuesday afternoon; but Mr. Palmer, finding his force altogether inadequate to suppress the ferment amongst the disturbers, busied himself in ascertaining the ringleaders until further assistance could be procured, and against these he obtained warrants. On

Wednesday, Mr. Palmer was active in obtaining further information; and on that day, the riotous Irish paraded the village in military array, vowing vengeance against every Englishman, who should work with the obnoxious contractor: between Sutton and Childer Thornton they met a party of English labourers, who, being few in numbers, were obliged to retreat. On this occasion, too, several of them were severely injured. On Thursday, in consequence of the conduct of the victorious party, (the Irish,) and the necessity to serve the warrants against the ringleaders, the magistrates thought proper to send for the aid of the military to Liverpool and Chester. We should mention, that the rioters had previously taken possession of the beer-houses in the hamlet of Childer Thornton, and helped themselves *ad libitum*, to whatever of the good things they could lay their hands upon. With this exception, they committed no depredation, nor inflicted any personal injury beyond what occurred in the conflict with their fellow-workmen.

A detachment of infantry from Chester, and another from Liverpool, came to the assistance of the magistrates and the civil power. The village, where most of the Irish lodged, was, at this time, apparently in a state of siege, and the inhabitants in great alarm. The doors of the cottages, in which some of the rioters had ensconced themselves, were closed and barricaded. Mr. Palmer, however, backed his horse against several of them, and, his horse being a knowing one, kicked out, so that his heels became an effectual battering-ram, and the boards gave way. Though many of the aggreg-

sors fled across the fields, he was enabled, with the aid of the military, to apprehend twenty-six of the ringleaders, who were brought to Birkenhead on the same night. Sixteen of them were committed for trial at the sessions, at Knutsford: the remainder were summarily dealt with, by being fined or held to bail. It is to the credit of the military and the constabulary of Birkenhead, that none of the prisoners were hurt in their capture, though three of Mr. Palmer's men were much beaten in the cottages before the military came up.

15. **COACH BURNT ON THE RAILWAY.** — As the Regulator coach, from Bristol to London, was proceeding on one of the up trains to London, having a quantity of luggage on the top, owing to the large quantity of sparks which issued from the chimney, the luggage took fire, a fact which was only discovered by the coachman, (who happened fortunately to have remained inside,) seeing sparks of fire falling from the top of the coach by the window. The coachman, at the hazard of his life, (the trains going at the rate of forty miles an hour at the time,) got out and clambered on the roof, and by great exertions removed the luggage from the roof, and thereby saved the greater part; but the brisk current of air created by the rapid speed at which the coach was progressing rendered all attempts to extinguish the flame unavailable until the roof was destroyed, when, the embers falling inside, the guard, who had come to the coachman's assistance, succeeded in putting out the fire.

— **"PROGRESS" OF QUEEN ADELAIDE.** — Her majesty the queen dowager, attended by her

usual suite, left her residence, Bushy-park, shortly before ten o'clock in the morning, for the station of the London and Birmingham railway, in Euston-square, from whence her majesty proceeded by the twelve o'clock train, to the seat of the earl of Denbigh, Newnham Paddocks, Warwickshire. After a stay of about a week her majesty paid a visit to earl Howe, at Gopall-hall, and from thence proceeded to Drayton manor, the seat of sir R. Peel. Her majesty also honoured Belvoir castle with her presence. The warmest demonstrations of affectionate greeting were everywhere displayed, but more especially by the conservative party, both among the gentry and towns-people. Indeed, so strong and marked was the expression of their respect and attachment to her majesty, as to excite a very bitter tone of comment in the organs of the ministerial party. It was expected that her majesty would also visit Chatsworth, but this purpose, if entertained, was afterwards given up, a circumstance which was made a subject of similar misconstruction.

16. **TRADES' UNIONS.** — At the Middlesex sessions Richard Hart, W. Holland, John Perry, and William Bibb, were charged with having assaulted Charles Coleman on the 17th of June previous.

Mr. Clarkson, who appeared for the prosecution, said that the jury were of course aware of the existence among the working men in the metropolis of such things as "trades' unions," whose object was to prevent parties from working at any other rate of payment or for any other hours than such as they might think proper to dictate, and furthermore, to prevent

masters from employing any journeymen who did not belong to one of those illegal societies. The defendants at the bar were members of one of those associations.

The masters, with a view to their own protection against the ruinous consequences which might befall them, had resolved, that prior to engaging any workmen they would require the parties to sign a declaration, to the effect that they were not members, nor would become so, of any of the trades' unions.

The prosecutor was a journeyman carpenter, in the employ of a builder of the name of Taylor. At the period of entering into that gentleman's employ he had signed a document to this effect, which becoming known amongst the other journeymen, had given the defendants, as well as many others, the most signal offence. The consequence had been, that they had taken every opportunity to insult him. In the month of June last, Mr. Taylor was concerned in the erection of some houses in Hyde-park square, and the prosecutor, amongst others, had been employed to perform a particular part of the work. It was during one of his journeys from home to that place that the offence complained of had been committed. Indeed, for some time previously he had been so much annoyed by the union people, that his life had been a perfect misery to him. On the day mentioned in the indictment, having taken his breakfast, he set out on his return to his work, when upon his approach to the square there was a part of the road where he had to pass through a narrow passage, on either side of which was a heap of stones piled. As soon as he had arrived at this

spot, he found the defendants and a number of other journeymen assembled, who, on seeing him, began to hoot and hiss. The defendant Hart had planted himself at the end of the passage, and held out his arm to prevent his proceeding. The prosecutor upon this desired that he should not be interrupted in that manner, and at the same moment endeavoured to force his way onward. Hart then said, "Are you not ashamed of having signed that b—y document?" To this the prosecutor made no reply, but put the defendant's hand on one side; whereupon the defendant said, "Oh, that's what you mean, is it?" and then calling out to his associates, who by this time amounted to between 100 and 200 persons, said, "Now give it to him, let's serve him out." Hart and Holland instantly began to beat the prosecutor, and in the course of a minute or two he was surrounded and knocked down and kicked in a most brutal manner. With some difficulty he regained his legs, but was several times again knocked down by the defendants and others. When he appeared to be reduced to a state of exhaustion, the party left him, and he then with considerable difficulty got up. He had, however, scarcely done so ere Perry came up and struck him so violently that he was once more felled to the earth. Eventually he went to a magistrate, and the defendants were apprehended, but their associates had hitherto eluded the attempts of the officers to take them. The prosecutor in the affair sustained such severe injury as to render him unable to work for a fortnight. The learned counsel, after a few other remarks, called the prosecutor, whose evidence,

backed by a witness, fully corroborated the statement he had made.

Mr. M. Thompson then addressed the jury on the part of the defendants, and called witnesses whose testimony was of a nature which richly merited the severe reprehension it received from the chairman, who in passing sentence observed, that "as to the three witnesses who had been called for the defence, were he to have a choice he must say that he would far rather be in the position of one of the defendants; for he thought if those individuals had anything like a conscience they could not avoid feeling that they had that day most deeply perjured themselves. The sentence of the court was, that Hart and Perry should be imprisoned in the house of correction for four months, and that Holland and Bibb should also be imprisoned for three months."

18. ASSAULT ON THE FRENCH QUEEN.—The Paris papers contain particulars of an attempt by a mad woman to injure the king and queen of France by throwing a stone into their carriage. It appeared that at five o'clock in the afternoon, just as the carriage containing the king, the queen, and the princess Adelaide, had arrived at the end of the railings on the quay of the Tuileries, a large stone, hurled with great violence, struck the right carriage-window, which it shattered to atoms, and, having bounded back from the roof, fell upon the queen's head, which it bruised severely. The author of this attempt was a woman, who was immediately arrested. The king ordered the coachman to stop; but having assured himself that no immediate danger was apprehended by the

queen, continued his route to St. Cloud. A considerable crowd collected round the carriage whilst it stopped, and seemed to express respectful interest. Their majesties were cheered as the carriage drove off. The stone which struck the queen must have passed between the narrow space left by the officer of ordnance on horseback, whose body covered the carriage-door. The stone was large and round, and must have been hurled with great violence to break a thick glass at so great a distance. The woman who was arrested was named Stéphanie Girondelle, and was a servant out of place. Her head was tied up in a red handkerchief, and her person covered with rags. The first answers which she made to the questions addressed to her by the prefect of police, who was on the spot directly after the occurrence, led him to imagine that she was insane; which opinion was afterwards confirmed.

On her examination, it was remarked to her that the stone thrown into the king's carriage seemed in some sort polished on all its sides, and that it must have required much time and labour to give it that appearance. She answered, with the volubility which characterised all her replies, 'Ah -yes! I have carried it a long time; I know it well; I know well that it is polished.' The attorney-general having interrogated her briefly, expressed his conviction that she was out of her mind. Two eminent physicians, Drs. Chomel and Vignardonne, were accordingly sent for to examine into the state of her mental and bodily health. They declared that she laboured under an absence of all intellectual faculty.

— GREAT FLOOD IN THE WEST

OF ENGLAND. — Accounts from Somersetshire mention very heavy rains during this week, by which that part of the county between Ilminster and Ilchester, became inundated, and for some days almost a total stop was put to travelling in that part of the county. Considerable damage was done to property situated in the neighbourhood of the rivers. The town of Ilchester in particular stood like an island in a sea of water. No serious accident is reported to have occurred; though in one instance a night coach the Vivid, owing to the depth of water (in some places not less than four feet), got off the road and stuck fast in a bank between eleven and twelve o'clock, and the passengers were obliged to wait till some of the inhabitants of Ilchester came to their rescue with carts and horses. The following instance given by the Sherborne Gazette, of the sagacity of a Newfoundland dog, under similar circumstances may be thought worth recording. On the 18th when the flood was at its height, a man named Bartlett was coming in a cart on the road from Thornford to Bradford, where the road was flooded with water to a considerable depth, which ran with such violence that the cart was completely overturned, and Bartlett under it. The dog which had been swimming directly at the head of the horse, missed the man and the cart, and turning back, dived and seized Bartlett by the collar of his coat, drew him from under the cart, and swam with him to the bank, when he got over into a field; as soon as the dog saw the man safe, he immediately plunged into the water again, swam after, and seized the horse

by the ear, kept his head above water, and brought him to the bank. Bartlett, who had by this time come to himself, ran down the field to where the dog was still keeping up the horse, which he extricated from the shafts. The horse on being liberated immediately sunk, but shortly after appeared again on the surface of the water; and after a time, the dog which had never let go his hold, brought the horse to a place where he was got out of the water, and thus saved the life of both the man and his horse.

— SUICIDE. — The unreasoning interest shown about the suicide of Margaret Moyes, in no ways distinguished from other cases of the like painful nature, save in the locality chosen for its perpetration, was not slow in producing its proper fruits. A boy of fifteen, anxious apparently to obtain similar notoriety, fixed on the same spot to make away with himself. It appeared, that his name was Hawes, son to a widow at Chelsea. About five in the afternoon, Hawes ascended the Monument, with four other persons, who soon afterwards came down. Two ladies then went up; and on coming down, said to Jenkins the porter, "There's only a boy up now." At that instant the falling body of the boy was seen, and Jenkins said — "Ah, poor fellow, he's down now!" Several persons in the street had seen him climb over the iron breast-work of the gallery, stand upon the edge of the coping outside for about a minute, and then leap down. The body reached the ground about forty feet from the base of the column. The back part of the head was smashed; both legs were broken, one at the socket of the thigh; but the face

was not even scratched. The corpse was taken to St. Magnus's Deadhouse, and there recognized by one of the St. Ann's scholars. The Bible presented to Hawes at school was found on the floor of the gallery; some passages relating to death were underscored. A coroner's inquest on the body was held next day. The boy's mother, a widow, stated the following particulars respecting his employment and habit of mind. "The deceased was fifteen years of age, I had not seen him for five weeks previous to his committing the dreadful act. He had been living for four months in the service of Mr. M'Donald, a surgeon residing in Princes-Street, Cavendish-square; from whose service I have since learned he was discharged on Friday morning, the day on which he destroyed himself. He was educated at the St. Anne's Society Schools. I have never heard him express a wish or a threat to destroy himself. He was naturally of a melancholy disposition, even while at school. The last time I saw him alive, he said his master had been blaming him for breaking some things, and he appeared very distressed at it." Being further questioned by the coroner, Mrs. Hawes said, that her husband, the boy's father was insane, and had killed himself. The Bible which was found in the gallery of the Monument was produced. Several passages were underscored; but, with one exception, they had no reference to sudden death, and might have been texts of sermons he had heard. Mr. M'Donald, the surgeon in whose employ he had been since June last, considered him of "unsound mind, but not of weak intellect." He had often spoken to the servants

about Margaret Moyes's suicide, and frequently read about murders. He was discharged because he never showed a desire to do anything. Sometimes he was violent to the servants, and once threatened to murder the housemaid. He would stand recklessly on one leg on the window-sill while cleaning the windows; and just before he left his place on Friday, attempted to throw himself out of the window. Hearing this, Mr. M'Donald spoke to him seriously, and discharged him.

From the evidence of Jenkins, the porter at the Monument, it appeared that the iron bar, which was bent by the body of Margaret Moyes in her fall, had not been removed, and that many persons had been to look at it. The coroner very truly observed, that this was pandering to a reprehensible curiosity.

The Jury returned a verdict of "temporary derangement;" and again recommended that means should be taken to prevent the repetition of suicide in the same manner.

19. DISCOVERY OF THE MURDERERS OF CONSTABLE LAWLOR.—The perpetrators of this crime were at length discovered in the following manner: a boy passing through the nursery gardens of Mr. Laffan, in Blackpool, on Saturday morning, happened to pull straws from a thatched watch-house, when he discovered a bayonet secreted in the roofing. He immediately told it to the gardener, who sent it to the Bridewell, where it was recognized as that which was taken from sub-constable Harford on the night of the homicide. This led to the supposition that the murderers resided in the vicinity of the garden, and a party of constables

bulary searched the neighbourhood, and arrested, on suspicion, four men of noted bad characters. On one of them in particular, named William Harnett, suspicion rested, and sub-constable Harford asserted that he had little doubt on his mind as to his being one of the robbers. The police having removed the upper thatch of the watch-house, found between the new and old roofing constable Lawlor's carbine, Mr. Trenwith's coat, and a firearm about three feet long, the barrel of which was evidently that of a military musket cut short, and laid in a small stock. On the following Monday morning, about seven o'clock, a man presented himself at the Bridewell, and offered to give information of the murderers, inquiring whether, on account of so doing, he could be let off. He stated that his name was Patrick Roche, and that he, armed with a heavy stick, Hartnett (who was arrested on the Saturday night), armed with an old sword, and a fellow named James Casey, armed with a short gun, proceeded to the Glanmire-road, where they robbed Mr. Trenwith; that when Lawlor and his party overtook them, Casey murdered the unfortunate victim. Hartnett was engaged with Harford, and he himself was the man who knocked Harford down. After the murder was perpetrated, Roche and his confederates went into a field by the road, and remained there a short time. They afterwards proceeded to Casey's house in Combmakers' alley, near the nursery gardens, and concealed the arms and coat where they were found. On hearing this statement, several of the police-guard instantly went in pursuit of Casey, but arrived at his house a few moments

after he had left it. They then made a strict search through the premises, and discovered a cavern under the ground-floor, in which they found a large quantity of seemingly stolen articles, besides a piece of a barrel of a musket which had been sawn off, and which fitted the bore of that found in the watch-house. Sub-constable Harford fully identified Roche as the man who knocked him down, and the piece of cloth torn from the coat of the fellow by Mr. Trenwith in the course of the conflict matched the loose coat worn by Roche.

— **INQUEST.**—An inquest was held before Mr. Wakley, on the body of Miss E. Hazard, who died in childbirth, in Rosoman-street, Clerkenwell. The deceased was only nineteen years of age, and was said to be the daughter of a lady of large fortune in Somersetshire. She had been seduced about twelve months before, under promise of marriage; and her mother having lately found her to be in the family way, removed her to London, and she was taken from the house of her brother-in-law, the rev. Mr. Durrant, of the Adelphi chapel, to the lodging in which she was confined. The child died in twenty minutes after its birth, and the mother died in convulsions in the course of the night. The jury returned a verdict of "natural death."

— **ROBBERY.**—A poor man named Richard Goodman, a coachman out of place, was rescued from drowning in the *Serpentine*, by two boatmen in the employ of the royal Humane Society. He was put into a warm bath, and on partial recovery went into violent convulsions, raved like a madman, and four persons were required to hold him; he was bled profusely, and the next morning taken to his

own house. When he was able to speak rationally, he said that he had been to receive some money, and on his return home, being perfectly sober at the time, two men, one of them a soldier, came upon him just as he was crossing the bridge over the Serpentine: the soldier thrust his hand into his trousers-pocket, and snatched a 5*l.* note. Goodman caught him by the collar, and a struggle ensued, when the other man interfered, and the two robbers threw him over the bridge; he clung to the parapet, but a blow compelled him to loose his hold: he tried to save himself by swimming, and called out to two women, who alarmed the boatmen.

— **LIBEL.**—Late accounts from Australia mention a trial for libel, which had excited much interest in the colony. The publisher of the *South Australian* was prosecuted by Mr. George Milner Stephen, the colonial secretary; who conducted his own cause, and was his own principal witness. The newspaper charged him with making a false statement respecting the sale of some land, called the Milner estate. Mr. Stephen, it was said, had given out that half of the property in question was sold for 10,000*l.*; whereas it was never sold at all, and the statement was made for the purpose of inducing persons to give a high price for his land. On his cross-examination by the defendant's counsel, Mr. Stephen cut a somewhat shabby figure; and from one of his own letters, published after the trial in the government paper, the *South Australian Gazette*, it appears that he had authorised the publication of a statement in that newspaper that he had sold half of the Milner estate for 20,000*l.* The

judge, Mr. Cooper, charged the jury strongly for a verdict against the defendant, and obtained one: sentence was deferred.

— **FLOOD IN IRELAND.**—The town of Wexford and its neighbourhood were visited within the last few days with the most inclement weather recollected by the oldest inhabitant. It rained without intermission on Friday the 18th, and the evening closed with vivid flashes of lightning, accompanied by loud peals of thunder. Two stacks of corn near Kyle were ignited by the electric fluid, and totally consumed. On the following morning the rain came down in torrents, as if the cataracts of heaven were let loose without restraint upon the earth. In the course of a few hours the waters accumulated to the height of several feet in the streets; and all intercourse between the inhabitants was completely barred, except by means of boats. In some of the lower parts of the town, the inmates of the houses were compelled to make their escape through the attic windows into boats placed underneath to receive them.

Mr. Coady, proprietor of a ropewalk in this part of the town, was a great sufferer, a large quantity of his materials having been destroyed. The water, from the want of sufficient channel course to the sea, accumulated nearly to the height of twelve feet in his premises; and several horses, placed there as a place of presumed safety, were carried off their legs by the flood, and were seen swimming about in all directions, they were all, however, after much exertion brought to *terra firma*, except one, which was drowned in the stable. A farmer named Murphy, with a horse and car laden

with butter, not conceiving the water to have risen to such a height, drove down the road from the distillery until the poor animal got beyond its depth, and both the horse and man were swimming about for several minutes until rescued by some courageous individuals. The butter was carried out to sea, but recovered by some sailors, and restored to the owner. A good deal of hay was carried away, and stacks spoilt. In one house the water had risen to the second story, where was an infant in a cradle, when a Mr. Clarke swam to the relief of the little creature, and bore it safely to one of the ships' boats in attendance. Several perches of the old town wall at the Duddery and some division walls fell down, but luckily no person was hurt. It would appear that this extraordinary fall of water extended within a comparatively narrow circle about the town, and in the country generally, little injury was sustained.

21. HOAX.—A rumour of lord Brougham's death was extensively circulated on Monday evening. A letter was reported to have been received by Mr. Alfred Montgomery, a friend of lord Brougham, from Westmoreland, bearing the signature of Mr. Shafto, a gentleman then on a visit at Brougham Hall. The letter stated minutely the particulars of lord Brougham's decease. It was said that his lordship, with Mr. Leader and Mr. Shafto, was travelling in a landau hired at Penrith, on an excursion to a part of lord Brougham's property; that the horses became restive, and overturned the carriage into a ditch; that one of the horses stunned lord Brougham with a kick on the head, and then the carriage falling on his body,

VOL. LXXXI,

killed him at once: Mr. Leader was also said to have been dreadfully hurt, while Mr. Shafto escaped.

Anxious inquiries were made at lord Brougham's house in Grafton Street—lady Brougham and her daughter being at Brighton—whether any news of the fatal accident had been received from Westmoreland; but no intelligence of the kind had reached the domestics. More than one hundred and fifty persons called.

On Tuesday, the *Morning Chronicle* and *Morning Post*, assuming that the report was well-founded, published obituary notices of his lordship—both eloquent, and written in a very generous spirit. The *Times* discredited the rumour; and in the course of the morning its falsehood was ascertained, and it turned out, that though lord Brougham, Mr. Leader, Miss Eden, Mr. Edmunds, and Mr. Shafto, had gone on an excursion, and their carriage had broken down, nobody was hurt, except the driver and one of Mr. Shafto's servants: lord Brougham and Mr. Leader walked back to Brougham Hall, a distance of thirteen miles.

The singular, and hitherto unexplained part of the transaction, is, that such a letter actually had been received by Mr. Alfred Montgomery, a particular friend of lord Brougham, bearing the signature of Mr. Shafto, who however, positively disclaimed all knowledge of it.—*Who* the writer really was has not been ascertained, or at least made public, but the directions which some speculations had taken on the subject may be inferred from the fact that lord Brougham thought it necessary to write to a friend in town, denying in indignant language, that *he* originated or

P

countenanced the hoax about his death. His lordship said, that having been more than once killed by the newspapers, and expecting that the accident which really happened would be exaggerated, he took the precaution to write to Mr. Eden his brother-in-law, and Mr. Miller of the Bankruptcy Office, who would both have at once contradicted the rumour, but unhappily they were absent from London, and did not get his letter. Besides, he must have been aware from former experience, that by spreading a report of his death, he should only provoke attacks in many newspapers.

22. HIGHWAY ROBBERY.—This evening, as Mr. Dean, a farmer of Imber, was returning from Derizes Green Fair, just as he had entered Salisbury Plain he was attacked by four men, who violently pulled him off his horse, put their hands upon his mouth, and rifled his pockets, from which they took 60*l.*, and then decamped. In a few minutes after, Mr. Morgan, of Chitteen, came up, and, hearing of what had taken place, turned his horse, and boldly pursued the robbers, with whom he soon came up. In consequence of the rascals threatening him, he was obliged to keep at a distance, but at the same time giving the alarm and retaining sight of them, until Mr. Hooper, of Gore Farm, came up with some men, and a double-barrelled gun, to his assistance. After three hours hot pursuit, and considerable resistance from the robbers, three out of the four were captured. No sooner had the fellows been seized, than one of them suddenly fell down and expired. It was thought at first that he feigned death; but after more minute inspection, it was found that he was

really dead. On the following morning, the route which the robbers had taken was examined, when all the money taken on the previous evening was found. There appeared no doubt that these men were connected with a strong gang of the most daring robbers, who had been infesting the plain for the last twelve months. Not a single week for the last three months had passed without one or two robberies having been committed on some part of the Plain.

23. EXTRAORDINARY CASE OF MANSLAUGHTER.—An inquest was held at Buckland, near Ashton Clinton, Buckinghamshire, on the corpse of John Choles, a respectable farmer, residing at Buckland, and about sixty years of age. It appeared, that Choles and another farmer, Thomas Pattison, also residing at Buckland, and a man of good character, had been spending the evening together at the New Inn, Buckland Wharf, where they both drank too freely; that they left the inn to go home about ten o'clock; that soon afterwards Pattison ran up to a policeman on the road, and told him that he had just killed a man—Kibble the sweep, he believed, of Tring, after a "hard tussle," by throttling him and beating him on the head with his right fist till he died. The policeman summoned two men to his assistance, and proceeding to the place pointed out by Pattison, found that the dead man was Choles, the farmer. The deceased had not been robbed—bank-notes and gold were found in his pocket. Pattison sat on a bank about four yards from the body, and said, "There he lies—he is dead, and I killed him: they must send two men to murder me another time;"

and then he talked some nonsense about Whiggism and Toryism. The two farmers had always been excellent friends. The inquest was adjourned to Thursday; when no additional evidence of importance was produced, except a smock-frock worn by Pattison, of which the arms were soaked with blood. The jury returned a verdict of "Manslaughter" against Pattison. Nobody could guess Pattison's motive for killing his friend.

— EARTHQUAKE. — Shocks of an earthquake were felt in almost every part of Scotland about a quarter past ten on this night. From Comrie, at the foot of the Grampians, as from a centre, the vibrations extended North, South, East, and West. In Inverness, Aberdeen, Perth, Forfar, Edinburgh, Fife, Glasgow, North Berwick, and many other places, shocks were felt; but along the line of the Grampians they were most perceptible. The Fife Herald declares the subterranean convulsions to have been more sensibly distinct than any experienced since the great earthquake at Lisbon, whose movements were felt over the whole British islands. The tremulous motion was continued for the space of sixty or seventy seconds. No subterranean sound accompanied the convulsions, which seemed to pass eastward in rapid succession, at first with considerable violence and with a disagreeable complex motion, but which latterly subsided to a slight horizontal rocking that gradually died away. The houses shook, the windows rattled sharply, loose pieces of plaster, &c., fell from the walls, and light articles of furniture were moved in their places. No meteorological change from the heavy rains that were

then falling took place, except a deep silence for a few seconds before and after. At Kincardine the shock appeared to come from the west, preceded by a very loud and rushing sound, resembling the rolling of a heavy carriage. The moon's light was obscured by constant rain; but the atmosphere to the southward was in fearful commotion, resembling the commencement of a hurricane. About ten minutes before eleven o'clock of the same evening, and also between one and two o'clock next morning, other shocks were heard and felt, but not so alarming as on the first occasion. In the southward, at these intervals, there was, as before, a very gloomy and varied light; a tint of glowing yellow pervaded the atmosphere. The Scotch papers contained similar accounts from all the places above enumerated.

24. THE AFFAIRS OF THE MARQUESS OF HUNTLY.—The failure of the Marquess of Huntly at the end of last month, had excited considerable sensation throughout Scotland. At a meeting of creditors held this day, it was stated, that by far the greater portion of the Marquess's debts were due to private individuals. The only public bodies who had claims on his lordship, were the trustees for the Roman Catholic clergy, 22,000*l.*; the Highland Society, 10,000*l.*; the British Linen Company, 3,000*l.*, and the Society of Advocates in Aberdeen, 2,000*l.* The two first mentioned sums were secured on the estates of Glengarry and Lochaber. Of the total amount of his lordship's debts, about 106,000*l.* were due in Aberdeenshire, 56,000*l.* in Forfarshire, 7,000*l.* in Kincardineshire, 28,000 in Invernessshire

and the neighbouring counties, and 250,000*l.* in Edinburgh and the South of Scotland. On the motion of one of the functionaries of the bank of Scotland, which company was a creditor to the extent of 12,000*l.*, it was resolved, that a sequestration would be the best mode of realizing the funds. A statement of his lordship's liabilities and assets was at the same time laid before the meeting, from which it appeared, that the liabilities amounted to 517,500*l.*, and the assets were estimated at 365,000*l.*

25. **SUICIDE.**—A young man named Mr. Nathaniel Isaacs, son of an army-agent at Chatham, poisoned himself at Dover, having been detected in forging acceptances to a large amount. It is said, that Mr. Isaacs lived beyond his means, and associated with officers and gentlemen above his own rank in society. The amount of his forgeries was about 7,000*l.* The landlord of the Victoria Hotel, where he poisoned himself, noticed, that Mr. Isaacs was unusually "jocular" on the previous evening, and said when he went to bed, that he was going to take a long nap. Next day in the afternoon, he was found in the agonies of death, and all efforts to restore him were fruitless.

26. **MEETING TO PROMOTE EMIGRATION (IRELAND).**—A meeting for this purpose was held at Loughrea, in Galway; and was attended by nearly all the influential landed proprietors in the district. Mr. Torrens delivered a long and able speech, developing the Wakefield principle of colonization; describing its successful operation in South Australia; and explaining the reasons of failure in attempts to colonize on the principle of distributing set-

tlers by grants of land over a large territory. Appearing as the especial advocate of South Australia, Mr. Torrens brought into strong light the disadvantages of other colonies especially the evils attending upon the convict system in New South Wales and Van Diemen's Land.

The main object of the meeting was to set on foot a scheme "for dispauperizing" the Union of Loughrea, which was about to fall under the operation of the Irish Poor-law; and relieving the owners of land from the burden of supporting a numerous pauper population, by removing a portion of the peasantry to land in South Australia purchased for the union. Mr. Thomas Bermingham, chairman of the meeting, thus explained the course which it was intended to pursue.

"The Poor-law act, which is about to come into active operation in this union, permits the rate-payers to assess the property within the union to the amount of one shilling in the pound for emigration; but the sum so raised will be repaid within five years. This rate cannot, however, be levied for at least one year more: in the mean time, I would recommend the landed proprietors within the union to subscribe to get out some of their surplus cottier tenants. This of course must be left to their own discretion, and the wants of their estates; but, to give you some idea of the mode of doing this under the Poor-law act—When a rate shall have been levied, I will suppose the rate-payers of the union of Loughrea desirous to carry into practical operation the system recommended by colonel Torrens, of emigration to South Australia, and for the purpose write to have

4,000 acres selected for them by competent authorized individuals; to raise a sum on the rates, and to give 5 per cent interest to the persons lending the money—which, at 1*l.* per acre, will amount to 4,000*l.* It will be necessary to levy a rate of 800*l.* a year, for five years, to repay the principal sum of 4,000*l.*, and an additional rate to pay the interest thereon; which sum would amount to only 40*l.* for the first year, being one per cent on 400*l.*, the commissioners allowing 4 per cent for one year on sums of this amount lodged for the purchase of land in the colony—160*l.* the second—120*l.* the third 80*l.* the fourth—and 40*l.* the fifth, when both principal and interest would be repaid; and then would be for ever attached to the union of Loughrea, 4,000 acres of selected land in South Australia—a quantity capable of affording an asylum for all the paupers in the union. I calculate that there will be an amount of property much exceeding 100,000*l.* a year (to be rated in the union.) A rate of 2*d.* in the pound will raise 1,000*l.* a year, which will more than cover the portion of principal and interest to be raised the first year, and more than sufficient to raise the required sum for each of the succeeding years; or one rate at the full sum allowed by the act (1*s.* in the pound) would in one year be ample to raise the entire sum of 4,000*l.* Were this done, 200 industrious persons of both sexes might be sent out free of expense, and leave the property whole and entire to the use of the poor of Loughrea. We may select that quantity of land in the best situation, and call it Loughrea; and there may be a handsome lake too, attached to it; and thus these

settlers may fancy themselves still in their dear Loughrea, with their associations and friends about them; the only difference being, that those they leave behind will be found with more and better-paid employment, whilst they themselves will have a field opened to them leading to affluence and prosperity, such as must induce others of their poor brethren to follow their example and emigrate, until in a few, a very few years, there will really be no extent of pauperism in either place."

The dowager countess of Clanricade, who was enthusiastically cheered, immediately acted on Mr. Birmingham's suggestion, and subscribed 100*l.*; and sir John Burke put down 200*l.* Other landowners were expected to follow their example.

— TRIAL IN SOUTH AUSTRALIA.—A murderous attack by the natives on a servant of Mr. Osmond Gilles, while tending sheep on the banks of the Torrens, was mentioned in the papers lately received from this colony, as also the capture of three natives,—one, Yerr-i-Cha, or George, charged with stabbing the deceased in the stomach, a wound which caused his death; and Monichi Yumbena and Parloobookay, otherwise called Peter and Williamy, accused of aiding and abetting in the crime. The trial of these men came on, before judge Cooper and a jury of settlers, on the 2nd of May. The chief evidence against the prisoners was the deposition of William Duffell, the shepherd, taken shortly before his death. It was decisive enough against some three natives; but the proof of the identity of the accused parties was very defective. A spear was found on George, or Yerr-i-Cha, and it was

alleged that the point corresponded with the orifice of the wound in the shepherd's stomach; but even on this point there was some doubt, for it did not fit exactly. The dogs which accompanied the murderers were described by Duffell, and part of the evidence for the prosecution consisted in an attempt to identify the dogs; but here also the room for doubt seems to have been ample. The appearance of Yerr-i-Cha was very nearly that of the murderer as described by Duffell; but he does not seem to have been particularly distinguished from other natives. Against the two natives charged with aiding and abetting, there was really very little evidence, and they were acquitted: but Yerr-i-Cha was found guilty.

During the trial, the prisoners appeared unable to comprehend the nature of the proceedings, and were in no wise alarmed. The judge said he concurred with the verdict, while he admitted that the proof of guilt was not so clear and precise as could have been wished.

Three other natives, Picha-cud-Nacha, Wang Nucha, and Tippa Warr-i-cha, otherwise called respectively Tam o'Shanter, Tommy Roundhead, and Bob—were charged with the murder of James Thompson, Mr. Hallett's shepherd, on the 26th of April. Bob was also charged with hurling spears at William Cox, with intent to do him bodily harm. In this case there was the clear evidence of a living witness, Cox, against Tommy Roundhead, who was the actual slayer of Thompson; but it is remarkable, that he and the other natives appeared half in sport, and almost unaware that they were committing any

crime. Bob hurled a spear at Cox; and when the latter fired a pistol at him, he only laughed and hurled another spear. The motive in this, and as far as appears in the homicide of the other shepherd, was to obtain the sheep which the men were tending.

A verdict of guilty was returned against Tommy Roundhead, who was sentenced to be hanged.

The poor creatures, who exhibited stolid indifference during the trial, were dreadfully distressed when they were made aware of the nature of their sentence.

Murders had been committed in New South Wales by bush-rangers and blacks. On the 7th of June, five men, Hall, Mayne, M'Ghee, O'Donnell, and Walsh, were hanged for murder; and four others, Sumner, Dacey, Cook and Gorman, for burglaries with violence, were executed on the 11th of June.

— RAILWAY ACCIDENT. — As Thomas Gray, a servant of sir William Foulis, was driving his master's cart with three horses along the turnpike-road leading from Stokesley to Stockton; just as he passed the Middleborough branch line of railway, at South Stockton, a locomotive engine, called the Raby Castle, then going at the rate of fifty miles an hour, ran against the middle horse, and the driver. The man died in the course of the day. A coroner's jury returned a verdict of "manslaughter" against Matthew Appleton, the engine-man, and a deodand of 1,400*l.* on the engine, supposed to be its full value. The amount of the deodand excited much remark.

— MURDER AT SEA.—In the Central Criminal Court, John Wentworth Fairbank, aged 19, the

steward of a vessel called the *Secret*, was indicted for the wilful murder of Arthur White, on the 14th of April previous, on the high seas.

The counsel for the prosecution called the following witnesses :—

George Minty.—In the month of October, 1838, I was mate on board the bark *Secret*, of which vessel Arthur White, the deceased, was captain. She was bound for Valparaiso and Guayaquil, and arrived there on the 1st of March in the present year. The prisoner joined the vessel as steward at Guayaquil on the 13th of March. We were about twenty degrees south latitude off the coast of Peru, and on the 14th of April, I recollect that the prisoner was flogged by order of the captain. He had been flogged twice before. I had the middle watch on that day, and at four o'clock on the morning I went off duty and got into bed, but was shortly after awakened by loud screams from the captain's state cabin, to which I instantly went; and, as I was going there, I met the prisoner coming from the cabin with a pistol in one hand and a dagger in the other. On meeting me, the prisoner said, he would shoot or stab any one who came near him. I went to the cabin and found the captain sitting upright on the bed, with a large dagger in his hand, which belonged to me. That dagger was safe in my room when I went to bed at four o'clock. I did not see a pistol near him. From something which the captain said, I went upon deck for the purpose of securing the prisoner. I found him standing on the starboard side of the deck, near the mainmast, still armed with the pistol and dagger; and, seeing me advance towards him,

he said, if I came near him he would shoot me. I still approached him, when he snapped the pistol at me, and then ran away. I took up a broom and pursued him round the gallery, when he snapped the pistol at me again. I then asked Mr. Barnard, a passenger, to fetch me a pistol. The prisoner by this time had got under the mainsail on the top of the long-boat, and he then ran down the fore-castle hatchway. I was in the act of following him down the ladder, when Mr. Barnard advised me not to do so, as I was unarmed. I accordingly returned upon deck, and the hatchway was battened down so as to secure the prisoner, and I then returned to the captain's cabin, where I found the passengers, Mr. and Mrs. Unsworth and Mr. Barnard. The captain was still sitting in the same position: his head was leaning against the ship's side, and he was quite speechless. On examining him, I found a large wound under the breast-bone, through which the bowels were protruding, and the flesh above the orifice was scratched and scarified, as if with the point of a dagger. Mrs. Unsworth assisted to bind up the wound, but the captain expired in about twenty minutes after. The wound was about an inch and a half in length. Having assisted in laying the body on the bed, I again returned on deck, and the prisoner having ultimately surrendered his arms, I then put him in irons. I asked him why he had committed such a dreadful act; and his reply was, "If the captain had not snapped a pistol at me, I would not have done it." I had previously searched the captain's sleeping-room, but could not find a pistol there; but I saw a pair of pistols belonging to Mr. Barnard

on the dining room table. On the same day the prisoner made a statement, which I took down in writing in the presence of Mr. Unsworth and Mr. Barnard, who subscribed it as witnesses, and when we arrived at Rio Janeiro, that statement was read over to the prisoner before the British consul there. The document was here produced, and identified by the witness. It was to the following effect:—"That the prisoner went to clean out the captain's room, and being ordered out by the captain, he refused to go, upon which the captain told him, if he did not leave the room, he would blow him out, and he took down a pistol from over his head. He then left the room; but before he left, he saw the captain take the pistol up again. He then went to the mate's cabin, and took a dagger from over his head as he lay asleep. He then went to Mr. Barnard's sleeping-room, and took thence a cutlass, pistol, and dagger, which he hid under a chair in the cabin, and, armed with the mate's dagger, he again proceeded to the captain's sleeping-room. Upon opening the door the captain said to him, 'So you will not mind what I say,' and he then put out his hand and reached a pistol, upon which the prisoner stabbed him with the dagger in the belly. He fell back, and said not a word more. He (prisoner) left the dagger sticking in the captain's side. He then took a dagger and pistol from under the chair in the cabin where he had hidden them, and went on deck." After the prisoner came on board, a man had been punished for running away with a month's wages; and, between March and April, six men left us. The captain was about twenty-five years of age. The

prisoner was flogged with a rope by the captain himself, and I punished him for not making the beds of Mrs. Unsworth's children.

Mr. John Unsworth, the next witness, corroborated the statement previously given by the mate. He said, he subsequently assisted in examining the berths, and found two loaded pistols on a shelf at the foot of the captain's bed, but they were covered over with cloths or papers, and had evidently not been removed.

James Anderson, a seaman on board the vessel, never saw any bad conduct in the prisoner. One day he heard the captain say to the prisoner, "Move yourself faster, you scoundrel, or I'll have the flesh off your bones; I'll have your life yet." This took place a few days before the captain's death.

On the part of the prisoner, no witnesses were called; but his counsel addressed the jury in extenuation of his guilt.

The jury, after a consultation of five hours, found the prisoner *guilty of manslaughter*.

Mr. Justice Bosanquet, in passing sentence, observed that the jury had taken a most merciful view of the circumstances. The prisoner was condemned to be transported for life.

George Minty, the mate, who appeared as the principal witness in the last case, was next indicted for the wilful murder of a seaman named James Shaw, on the high sea, &c.

It appeared, that after the death of Captain White, as detailed by the witnesses in the last case, the command of the vessel devolved upon the prisoner. There was a man on board named James Shaw, who was in a weak state of health, and the vessel being short of hands,

this man was unable to work like the rest of the crew, which induced the prisoner, who, it would appear, was not aware of his illness, to suppose that he was skulking from his duty. Under this impression, according to the evidence of several seamen who were examined for the prosecution, the prisoner flogged him several times with a rope called "a colt;" and on one occasion, when the man was in bed, a witness swore that the prisoner said, "You b——, you shall go on deck and work if you die for it," and he beat him with a rope until he went on deck. The prisoner was also charged with striking him several times with a piece of wood. Shaw died on the 21st of May; and it being alleged that his death was caused by the prisoner, the latter was sent home in custody from the Falkland Islands to be tried for the murder.

The witnesses who appeared for the prosecution were cross-examined at great length, and it appeared that the vessel, while prosecuting her voyage to Rio, encountered such severe weather, that her bulwarks were carried away, and nearly all the fresh water was swept off the deck. The crew and Mr. Barnard, the passenger, being apprehensive that the vessel could not with safety proceed as far as Rio, signed a protest, and insisted that the prisoner should steer to the Falkland Islands, as the nearest port. This protest was deemed by the prisoner an act of mutiny on the part of the crew, and in consequence of representations which he made to the owners to that effect, their wages were stopped. With regard to the alleged ill-treatment of the deceased, the witnesses admitted that they had repeatedly expressed a belief

to the prisoner that he skulked from his work; but they stated that they were compelled to give that opinion through fear of the prisoner, who always carried loaded pistols about him.

Mr. Unsworth, the passenger who gave evidence in the last case, was called on behalf of the prisoner, and he proved that he never saw the deceased beaten by the prisoner.

Mr. Baron Maule suggested to the jury, that unless they believed that the deceased came to his death by the act of the prisoner, there was no case against him; and he was accordingly *acquitted*.

29. SEIZURE OF AMMUNITION.—FRANCE.—In consequence of information which had reached the authorities in Paris, that many persons who had formerly belonged to secret societies, were in the habit of assembling clandestinely, and that they were manufacturing powder, cartridges, and balls, and a kind of bomb containing balls and powder, warrants were issued for the apprehension of several of these persons, and a search was ordered in the places frequented by them. The police having entered a room at No. 22 in the Rue des Lombards, found there and seized a trunk containing ninety-five parcels, in each of which was a pound of gunpowder, and another containing twelve pounds, with several utensils for the manufacture of powder and cartridges. Three persons who were in this room were arrested. At No. 30 in the Rue du Faubourg Montmartre, the police found a bale containing twenty bombs or projectiles, packed in oiled cloth, and carefully tied up; each containing a pound of powder in a first envelope, surrounded by a great number of balls, and forming

a total weight of six or seven pounds. Each of these projectiles had a lance with a fuse. The two persons who occupied the room in which this seizure was made were arrested. One of them had been long under the eye of the police. In the Rue de Reuilly, in the Faubourg St. Antoine, a seizure was made of twenty-five pounds of powder, a great number of cartridges, several instruments for the manufacture of powder, and a receipt for the making of it; and also a number of guns and pistols. At Creteil, a village two leagues from Paris, an individual, who had been manufacturing fuses such as those mentioned above, was arrested, as also his sister-in-law. At the residence of this female a great number of articles used in the manufacture of gunpowder were found. The total number of arrests was eleven; all of whom belonged, it is said, to secret societies.

NOVEMBER.

1. **EXPLOSION AND LOSS OF LIFE.**—An explosion of gunpowder on the premises of a maker of fire-works in William-street, Pimlico, about half-past seven at night, alarmed the residents in that and the neighbouring streets. The shock, preceded by a low rumbling noise, was very great: and people ran out of their houses in terror, believing it to be an earthquake. The cause was soon discovered; for the house No. 10½ William-street, occupied by Harding, a firework maker, was seen in flames. Rockets and squibs and other fireworks were for some time discharged through the windows; and nobody dared to approach the premises. Fire-

men and engines soon came, and although they could not save the adjoining house, by nine o'clock the conflagration was got under. While it was at its height, moans were heard in the yard, and found to proceed from Mrs. Harding, who was lying on the pavement, dreadfully burnt. She was immediately taken to the Westminster hospital. Besides Harding and his wife, seven other persons lived in the house No. 10½; and at the time of the explosion, a Mrs. Hanson, two other women, a son of Mrs. Hanson, and three boys engaged in making fireworks, were on the premises. Of these, Mrs. Hanson alone escaped, she could hardly tell how. Seven dead bodies were dug out of the ruins next morning, so much disfigured that it was impossible to identify them.

— **THE ROYAL EXCHANGE.**—Sir R. Smirke and Messrs. Gwilt and Hardwicke, who were appointed by the Royal Exchange committee to examine the designs, for the new Royal Exchange, awarded the premiums to the following gentlemen:

No. 36, 300*l.* to Mr. William Grellier, district surveyor, 20 Wormwood-street.

No. 43, 200*l.* to Alexis de Chateauneuff, of Hamburgh; and Mr. Arthur Mee, of Carlton-chambers.

No. 37, 100*l.* to Mr. Sidney Smirke, 12 Carlton-chambers.

Not one of these plans, however, it was said, would be acted upon. They were reported as being more in conformity to the printed instructions than any of the others, and as coming within the limited sum of 150,000*l.* as to the cost, and, therefore entitled to the premiums to be awarded to the best design. But the architects to

whose judgment the designs were submitted, and the committee, considered that without many alterations, they would be neither practicable nor advisable.

The committee, therefore, requested the adjudicators to take the three plans into consideration, and prepare a plan and specification for a new Royal Exchange, such as in their judgment should be carried into execution. The remaining plans were exhibited at Mercers'-hall, and, after public inspection were to be returned to the gentlemen who designed them, with their letters unopened, and their names unknown.

2. DROWNING.—A fatal accident happened in Wiltshire to a poor woman named Dally, the wife of a boatman, who was crossing the Wilts and Berks canal, by one of the locks, with an infant nine months old in her arms; when she lost her balance, fell in, and both were drowned. She had walked that morning from Rowde, where she lived, and, on her way to Devizes, was going to leave her child with her mother, who lived in a cottage at the bottom of the locks. About half an hour after the accident the bodies were discovered by some boatmen, who were bringing their boats up the canal. When they came to the lock into which the woman had fallen, the violence of the water when the paddles were drawn, forced up an umbrella, a basket, and child, the appearance of which induced them to search, when they found the body of the woman.

2. LIBEL.—In the Court of Queen's Bench, sir John Campbell Attorney-general, applied for a rule for a criminal information against the proprietor of the *United Service Gazette* for an al-

leged libel on Admiral Sir J. Ommanney. This application proceeded on a statement that when the Queen Dowager touched at Lisbon on her voyage to the Mediterranean, she was received with every demonstration of respect by Admiral Ommanney, then commanding the British squadron in the Tagus; but that the *Hampshire Advertiser*, in an article headed "Sir J. Ommanney" charged that officer with neglect to fire a salute to Queen Adelaide, and with the indecorum of appearing before her Majesty in plain clothes. This article was copied into the *United Service Gazette*, with a note signed "Ed. U.S.G.," speaking of Sir J. Ommanney, as an ancient driveller, and charging him with insulting the Queen Dowager, and declaring that the insult to her Majesty was offered because he knew that his insolence to that distinguished lady would gratify the Minto gang at home. But the Queen Dowager had directed lord Howe, in a letter which Sir John Campbell read, to express her high satisfaction with Admiral Ommanney's conduct, and annoyance at the attacks to which that gallant officer had been subjected. The rule was granted.

3. MURDER IN YORKSHIRE.—About seven o'clock in the evening, at Lees, near Oldham, a respectable old man, named John Bardsley, a rover in the mill of Mr. Peter Seville, was murdered in his own house, by his son, James Bardsley, a young man, twenty-three years of age, and of the most abandoned and profligate character.

The wretched murderer had, it appeared, been for several years past an idle and turbulent fellow, the terror of his father's family,

and of the whole neighbourhood. A few months previous to this date, he made an attack upon his mother with a knife, giving her several severe wounds; and such was her terror of him, that she left her husband and went to live with a daughter in the United States, in order to be out of his way. Since that time he had absented himself from home, returning only to annoy and plunder his relations.

On the occasion in question, it being Sunday evening, the father, John Bardsley, was at home, reading the Bible, with his daughter and a boy, when his son, whom he had not seen for some time before, entered the house, and began to help himself to some bread and cheese. His father reproached him for his misconduct, and desired him to leave the house. Some angry words ensued, on which the son drew from a sheath a knife, apparently provided for the purpose, and made a desperate attack upon his father, on whom he inflicted a number of frightful wounds upon his head and body. As soon as the murderer entered the house his sister quitted it; but the boy had remained, and, seeing the attack, ran out to obtain assistance. Several persons immediately hastened to the house, and found the old man lying in a pool of blood on the floor, and the murderer just rising from the body, with the bloody knife in his hand. This was immediately wrested from him, and he was secured. A surgeon was then sent for to examine the wounds of the father; but his assistance was in vain, for one of the blows of the knife had pierced the heart, and the poor man bled to death in a few minutes.

On examining the weapon with which this murder had been com-

mitted, it was found to be a long-bladed clasp-knife, which had been converted into a sort of dagger, by winding string round the handle and a small portion of the blade, so as to prevent it from shutting, and the point and both edges had been ground extremely sharp, as if for some such purpose as that to which it was applied.

When the murderer was apprehended, so far from showing any compunction for what he had done, he seemed to exult in the success of his attempt, and openly expressed his regret that he had not been able to murder two or three other members of the family. When taken in custody to the neighbouring inn, he immediately asked for some refreshment, and is said to have ate and drank with the utmost indifference, though his hands were at the time covered with his father's blood.

A coroner's inquest was held on the body, on the 5th, when thousands of persons collected, in order to catch a glimpse of the prisoner. His appearance was haggard and frightful in the extreme, his hair and beard being very long. On being asked why he committed the horrid deed, he said he had fully made up his mind, that whoever interrupted him on entering his father's house, he would instantly murder him. The jury brought in a verdict of wilful murder against the prisoner, who was committed to York Castle for trial at the next spring assizes.

3. SUICIDE OF ADMIRAL SIR HENRY TROLLOPE. — An inquest was held on the body of this gentleman, at the New Inn, Freshford, near Bath.

It appeared from the evidence of Mr. Trollope, nephew of the deceased, who had for some time

past lived with Sir Henry for the purpose of looking after his business, that the admiral was not of a sound mind, and Mr. Trollope had taken the precaution of unloading the pistols, which the deceased kept by him. On the morning before, the deceased rang the bell for his butler. On his coming into the room deceased asked him where was his powder-horn? The butler replied, that Mr. Trollope had got it. Deceased then requested the servant to ask Mr. Trollope to come to him. On that gentleman's coming Sir Henry asked him where the powder-horn was? He replied that it was safe; on which the deceased said he would like to see it once more. Mr. Trollope gave it to him. Shortly afterwards, Mr. Trollope went out and took a walk. He returned about four o'clock. When he came home he was informed by his daughter, that the deceased had shut himself up in his room, and locked his door. Mr. Trollope thought nothing of this, as deceased was frequently in the habit of doing so. He had not, however, been at home more than ten minutes when he heard a report of a pistol. He immediately ran to the apartment of the deceased, at the door of which he found the footman and the gardener. On their breaking open the door they found the deceased lying across the bed. His head was completely severed from his body, there being no part of the head left except a part of the lower jaw bone. The head had been blown completely to atoms, and the various parts of it were scattered up and down the room.

James Kelson, gardener, stated that he had lived with the deceased for upwards of sixteen years. He

had slept in the room with him for the last five or six months. Deceased always went to bed with an open knife in his hand, wrapped up in his handkerchief, in order, as he stated, that he might be ready to stab the first person that broke into his room. He kept a blunderbuss, a knife, and several brace of pistols in the bed-room; and had long been impressed with the idea that some person had an intention to break into his room and rob him. He discharged his butler, who had been in his service sixteen or seventeen years, and got other servants, the greater number of whom lived with him only a day or two. He had declared to the witness that his old butler had come down the chimney and stolen an old pair of braces, and left a new pair in their place. He also accused the same person of having stolen several letters from him. He afterwards gave an order to the carpenter to make a large strong board to fix in the fireplace to keep the butler from coming down the chimney. Two days after this was done, he engaged the same butler to return into his service.

The jury returned a verdict of "insanity."

The deceased was eighty-four years of age, and had served on board the same vessel with his late majesty, William IV., and signalized himself in several naval tions.

4. CHARTIST INSURRECTION.—Disturbances of a very serious character occurred among the working population of South Wales, chiefly in the neighbourhood of Newport, Monmouth, Brecon, Merthyr Tydvil, and in the mountainous districts. On Sunday, the 3rd of November, the magistrates of

Newport received information, that large bodies of men collected from the districts above-mentioned were marching upon Newport, headed by John Frost, formerly a draper in Newport, but better known as a chartist delegate, and as the magistrate dismissed by Lord John Russell from the commission of the peace, to which he had been appointed under the municipal act. It was the intention of the rioters to have attacked Newport, about one o'clock on Monday morning; but the extreme wetness of the weather prevented many from attending at the appointed places of meeting, and it was not till ten o'clock, on Monday, that they entered the town, in two divisions, one headed by Frost, the other by his son, a lad of fourteen or fifteen. They were armed with guns, pistols, pikes, swords, and heavy clubs. When they entered the town, their first enquiry was for the military, and where they were stationed; and being informed that a small detachment of them was stationed at the West-gate Hotel, the mob formed in front of it, and immediately commenced an attack by firing through the windows into the house. The military (about thirty soldiers of the forty-fifth regiment,) under the direction of the mayor, Mr. Thomas Phillips, junior, promptly returned the fire; and in a very short time several of the rioters were deprived of life, and lay weltering in blood to the dismay of the survivors, who very soon retreated in great disorder and in every direction. The mayor was wounded by a gun-shot in the left arm, and by a severe cut in the right side, which for some time quite disabled him. A sergeant and a private, and two shop-

keepers of Newport, Mr. Henry Williams and Mr. Morgan, were seriously wounded, and several other special constables slightly.

The mayor, who behaved with much coolness and intrepidity, read the riot act, amongst showers of bullets, before he ordered the military to fire. The number of the rioters was variously estimated at from 7,000 to 10,000; but a much larger number were collected on the hills.

At night, Mr. Frost's house was searched and his papers secured, by Mr. Jones Phillips, a solicitor. Mr. Phillips then proceeded to the residence of Partridge, Frost's printer; and there apprehended Mr. Frost himself, who was quietly supping on bread and cheese, and apparently unconscious of danger, though a reward of 100*l.* had been offered for his apprehension. Partridge was also secured. Both the prisoners had pistols, percussion caps, powder, and bullets, on their persons. Many of the rioters were made prisoners. The bodies of many rioters were found in the streets and in the fields. Their dress and appearance indicated them to be working men in full employ; as are, indeed, the Welsh miners generally. The number killed was upwards of twenty; the wounded, much more numerous. On the bodies of two rioters two cards were found, of which this description was given.—

On the back of the first was written, "William Griffiths, No. 5, A;" and on the reverse the following was printed—"The Working Men's Association, for benefiting, politically, socially, and morally, the useful classes." Motto—"The man who evades

his share of useful labour, diminishes the public wealth, and throws his own burden on his neighbour."

MONTHLY PAYMENTS.

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
						4d.	4d.				

The other was a similar card, but blue, for Merthyr, with three payments of 6d. in May, July, and October, and numbered 2,601.

The examination of the prisoners commenced the next day, and was continued during the whole of the month. It appeared that the conspiracy was very extensively organized. It had been arranged, that the men of the hills should march in three divisions on the town of Newport, under the command of the above-mentioned Frost, and two other leaders, viz., Jones, a watchmaker, of Pontypool, and Zephaniah Williams, of the Royal Oak inn, in the parish of Aberystwith. To such an overwhelming force as would thus have been assembled, little resistance was probably anticipated, and the non-arrival of the Welsh mail in Birmingham, was, it was asserted, to be the signal for a simultaneous rising of the chartists in that town, and all other parts of the kingdom. Great care appears to have been taken to ensure secrecy. Every member of the associated chartists was sworn to obey his "Captain," but who that captain was to be, or what was the party under his command, was not made known till the moment of rising. There appears to have been a "Captain," to every ten men, each of whom was to summon his corps and conduct it at a given time to the appointed rendezvous in the hills. The unfavourable state of the weather, and darkness of the night, fortunately disconcerted these well-laid schemes.

The parties under Jones and Williams, failed to arrive at the appointed time, and even that under Frost, as we have seen, reached Newport considerably later than had been intended. Zephaniah Williams was arrested on board a Portuguese vessel off Cardiff. He together with Frost, Jones, and a considerable number of others, was committed to Monmouth gaol, on charges of high treason and sedition, and a special commission was issued for their trial.

The people among the hills remained for some time in a very disturbed state, and great alarm was felt lest further attempts at insurrection should be made. The military force in that part of the country was considerably increased but the defeat of their grand effort by so small a body of soldiers and the arrest of their chiefs, seems of itself to have discouraged all further movement.

On the 9th November, lord Normanby addressed a letter to the mayor of Newport, expressing her Majesty's high approval of the conduct of the magistrates; and, on the 13th November, his lordship addressed another letter to Mr. Phillips, offering him, with her majesty's gracious sanction, the honour of knighthood, which, was on his recovery, conferred on him at Windsor Castle.

5. CHARGE OF MURDER. — At Bristol, a woman of the name of Tippings was taken into custody, on a charge of murdering her child, about five weeks old, which was found drowned in a ditch be-

tween Cambridge and Newport, in Gloucestershire. It appeared, that this miserable woman had been separated from her husband a considerable time, and that, during his absence she had had a child by another person. Her parents lived at Hereford, and she set off for that town in the hope that she should prevail upon her friends to take the child, but her efforts proved fruitless, and she left Hereford for Bristol. On reaching the White Lion inn at Cambridge, Gloucestershire, she stopped, took some beer, and suckled her child; she started thence for Newport, where she said she should sleep. On the following morning a labourer, in passing along the turnpike-road near Cambridge, discovered the body of a child in a ditch; he took it out and carried it to the White Lion inn; it was quite naked, with the exception of a sock on one foot. The report of a child having been found drowned reached Newport, and the person with whom Tippings had slept, having found beside the chair where she sat, after she had left the house, a baby's cap, quite wet his suspicions were aroused, and he set off for Cambridge. On describing Tippings to Mrs. Ludlow, it was found to be the same woman. Tippings was soon found at her lodgings in Bristol, and on searching them, baby clothes were found wet between the bed and the sacking. A coroner's inquest was held on the body, the jury found her guilty of wilful murder, and she was committed to Gloucester gaol to take her trial.

5. **LIBEL.**—In the Court of Queen's Bench, Mr. Thesiger applied for a rule against the printer publisher, and proprietors of the

Manchester Chronicle, for a libel on sir Charles Shaw, recently appointed police commissioner for Manchester and Salford.

The libel complained of was contained in two articles published in that paper—the first on the 14th of September, and the second on the 21st of the same month. The first article was published only eleven days after sir Charles Shaw's appointment; and set out by stating, that he was a knight of the Portuguese order of the tower and sword, and a colonel in the army of Don Pedro, but that he never obtained any higher rank in the British army than that of ensign; that he had had a wine-shop in Edinburgh, which he was obliged to quit in consequence of an unlucky game at cards in which he had been accused of foul play; that he owed his present appointment to his servile devotion to the government; and that his appointment was a wanton and gratuitous insult to the town, and a defiance of public opinion, which Mr. Sheil vaunted as the characteristic of lord Melbourne's government. In one of the articles, he was accused of being the author of certain articles in the Manchester Guardian.

Sir Charles, in his affidavit, admitted, that he retired from the British army on half-pay, when very young, as a lieutenant; that he afterwards went into business in Edinburgh; that he lost 300*l.* at cards, but through foul play, and having recovered the money, presented it to the Edinburgh Infirmary, for which he was publicly thanked, that he never wrote any articles in the Manchester Guardian; and that when he demanded the name of the author of the articles in the

Manchester Chronicle, Mr. Dyer the editor, offered to "give him satisfaction." The rule was granted.

7. DUKE OF SUSSEX AT NEWCASTLE.—This city was honoured by a visit from the duke of Sussex on the 7th instant. His royal highness, who was stopping with the earl of Durham, had been invited to attend the annual meeting of the "North of England Society for the promotion of the Fine Arts," and to partake of a public breakfast. Great preparations had been made to give the duke fit reception. A masonic meeting had been assembled to appoint officers and to receive with due honour their illustrious and most worshipful grand master. Addresses from the corporate bodies of Newcastle and Gateshead were also presented to the duke; and then his royal highness went to the meeting of the Fine Arts Society. There were assembled the earl of Durham, who was in the chair, and many ladies and gentlemen of distinction in the counties of Northumberland and Durham. Mr. Hutt, M.P., moved a vote of thanks to the duke of Sussex for his attendance at the meeting, and accepting the office of Patron of the Society; and Mr. Hawes, in seconding the motion, eulogized his conduct as President of the Royal Society. The duke of Sussex returned thanks in complimentary terms. A few days after, the duke visited the town of Sunderland in company with the earl of Durham, and the party at Lambton Castle. Great preparations had been made, and it was quite a gala day. The streets were crowded with foot passengers, and the windows were thronged with spectators, who cheered lust-

VOL. LXXXI.

ily as the duke passed along. As at Newcastle, a military guard of honour, composed of soldiers of the 98th regiment, received his royal highness when he alighted at the Exchange. He proceeded to the "long room," and, seated in the chair, which the last tory speaker of the House of Commons had occupied, and which had been purchased by a gentleman and presented to the corporation of Sunderland, received a complimentary address from the corporation, to which he made a reply. The proceedings of the rest of the day were of a "masonic character." The duke laid the foundation-stone of the Athenæum, at the head of a long train of Freemasons clothed in the paraphernalia of their order. Then followed a dinner, at which lord Durham presided; the company being exclusively masons. His lordship's health was proposed by the duke of Sussex, who dwelt upon lord Durham's youthful attachment to liberty, and his exertions in his county and in parliament in the same good cause, when he arrived at manhood. Although the duke's speech was full of political allusion, lord Durham carefully abstained from politics in his reply. Speeches were delivered by lord Zetland, Mr. Hawes, Mr. Easthope, Mr. Charles Buller, sir H. Williamson, and Mr. J. Dundas, and the party broke up.

The duke of Sussex, in lord Durham's company, also visited Durham; where an address was presented from the mayor and common council.

It was afterwards made public, that among other articles deposited under the foundation stone at Sunderland laid by the duke of Sussex, was a number of a provincial paper containing some very

Q

gross libels both upon his royal father and brother, Geo. 3rd and 4th. The duke appears to have felt naturally indignant at the affront thus offered him; and in a letter to a gentleman of Sunderland, demanded to know the author of the insult.—We are not aware, however, that any explanation on the subject has appeared. Those who deposited the paper must be supposed to have done so in ignorance of its contents.

— CORONER'S INQUEST.—An inquest was taken at Greenwich, upon the body of Mr. M. Hawes, aged 47, at his house, the Plume of Feathers, Maize-hill, Greenwich Park.

It appeared from the evidence, that the deceased had suffered for some time past from severe attacks of rheumatic gout, and had been attended by Mr. Finch, a surgeon of Greenwich. On Monday evening, the 4th, Mr. Finch sent him an ounce and a half phial, containing an aperient draught, with a label, directing one half to be taken the same evening, and the remainder on Tuesday night. On Tuesday morning, Mr. Figg Wright, a friend and neighbour of the deceased called upon Mrs. Hawes, and said he was delighted to have ascertained a draught that would restore her husband to good health. He then gave her an ounce and a half phial containing colchicum, and desired a teaspoonful to be administered to Mr. Hawes in a cup of tea. The latter bottle had also a label pasted round it containing proper directions. Mrs. Hawes expressed to her husband the confidence that Mr. Wright had in the efficacy of the drug, but the deceased declined taking any of it then, and desired his wife to put it away. Mrs.

Hawes placed the bottle in the cupboard, and about six o'clock the same evening she was suddenly called from her business by her husband to give him the remainder of the aperient draught. Both phials containing about the same quantity, and the liquid being of a corresponding colour, Mrs. Hawes unfortunately administered the poison instead of the aperient medicine, which he had no sooner swallowed, than he exclaimed, "What have you given me?" and Mrs. Hawes, in an agony, shrieked out that she had given him the wrong medicine. She ran down stairs in a state of phrensy, exclaiming, "Oh, my God, what shall I do, what shall I do? I have given Hawes the wrong stuff." Mr. Sturton, a surgeon, and Mr. Finch, were called in and exerted themselves to save the deceased, but he expired in about seven hours.

In answer to the coroner, Mr. Sturton said that a teaspoonful of colchicum being considered a large dose was a matter of mere opinion.

The jury, after a few minutes consultation, returned a verdict "That the deceased was accidentally poisoned by Mary Hawes, his wife, and that no blame was attributable to her or any other person."

8. CORONERS' INQUESTS.—An inquest was held at St. George's Hospital, on the body of Edward Lyne, aged twelve years, errand-boy to Mr. Goodson, pastrycook, of Jermyn-street, St. James's, whose death took place under the following circumstances.

Stephen Cole stated, that on the evening before, near five o'clock, he was walking round the basin in the Green-park when he saw the ropes attached to a drag hang-

ing over the railings. Some boys were near it, but no other person. Witness took hold of the rope and drew the drag attached to it four or five yards towards the side of the basin, when, to his surprise, he brought to the surface of the water the body of deceased. He called for assistance. A man helped him out with it, and it was brought to the hospital.

William Charles Davis deposed, that he was fellow-servant of deceased, in the employ of Mr. Goodson. He was of a very lively and jocular disposition. About half-past four o'clock in the afternoon of the 7th, deceased was sent out with some larded sweetbreads to the house of the duchess of Bedford, in Belgrave-square, and at six he received information that a lad answering his description had been drowned. Since the last suicide at the Monument, deceased had been very solicitous to learn, and had frequently asked witness, which was the easiest mode of committing suicide. He put the questions in a laughing manner. The deceased seemed proud of the notoriety the boy who precipitated himself from the monument had obtained, and said frequently "he should like to be as much talked about." He was on good terms with his master and mistress, who were very kind to him.

The witness Cole said he found the basket and cap of deceased floating on the water, and after his body was got out, he understood deceased had been seen to put them in first, and then jump in after.

The jury, however, having no evidence to this effect, returned a verdict of "Found drowned."

— ACCIDENT IN SOMERSETSHIRE.—A terrible accident took place at the Radstock Well-way

pit, by which six men and six boys lost their lives. They were hooked on to the rope by which they were to be let down to the pit. Their weight was just fully on the cord, when it snapped, precipitating the whole twelve to the bottom—a depth of 756 feet, and literally dashing them to pieces. So terrible was the shock, that only one body could be identified, the remainder being literally smashed and dismembered from limb. The seven men who were waiting at the bottom of the shaft to be relieved by the sufferers were so horror-stricken by the ghastly spectacle as to lose their speech. It was conjectured that some wretch had, during the preceding night, injured the rope, which was nearly new, and had chipped it nearly in two. It was quite clear, from the appearance of the rope, that the fibres had been cut, their ends being smooth in those parts tampered with, and jagged in the part which had given way. On the previous night, this same rope had safely borne 32 cwt. As soon as the rope could be adjusted, three men were let down into the pit. No clue was found to the detection of the perpetrators of this horrible act. Several of the sufferers left families. At the inquest at Kingston, the bailiff of the pit, deposed, that on the night before, the rope was quite perfect, seven men having gone down safely. He was decidedly of opinion that the rope had been purposely injured. Although he slept on the works, he heard no noise during the night. He knew of no ill-feeling among the men. The coroner's jury found a verdict of "Wilful murder against some person or persons unknown."

9. LORD MAYOR'S-DAY.—This day Sir Chapman Marshall, the new lord mayor, was sworn into office with the customary forms before the barons of the exchequer. The banquet in the Guildhall was as sumptuous and the company as numerous as usual. Among these last were several of her majesty's cabinet ministers, whose treatment on this occasion was, we are sorry to say, not creditable to the good taste or good breeding of a part of their civic entertainers. All passed off very well till the lord chancellor rose to return thanks after his health had been proposed, when there were symptoms of disapprobation from a part of the company. This, however, was a very slight manifestation in comparison with what followed, when the lord mayor proposed the health of "Her Majesty's Ministers." His lordship said, "He was happy to think that there were assembled under the roof of that hall in honour of the occasion, a portion, and a large portion, of her majesty's ministers.—[*Cheers and hisses, in which the latter decidedly predominated.*] The sheriffs and himself were this day honoured by the presence of lord Melbourne—[*cheers and hisses*], the marquis of Normanby—[*hisses*], lord Palmerston—[*groans*], and the chancellor of the exchequer, who had been kind enough to accept their invitation to dine at the Guildhall.—[*Cheers and hissing continued.*] Holding the high situations to which her majesty had been pleased to raise them, and with many arduous and important duties to perform, all he would say was, he wished to God, he sincerely prayed, their measures might be such as ultimately to

secure the confidence and advance the interests of the people of this country."

The scene which now presented itself in the hall was perfectly indescribable, one party attempting to drown with their cheers the more vociferous sibilations of the other. The ministers on rising were assailed by a complete storm of hisses and groans, which lasted for several minutes. All attempts to obtain a hearing were useless. Lord Melbourne, with his usual good humour, smiled under the infliction, but his efforts to procure an audience were ineffectual. At length the lord mayor entreated the company to be silent, and allow the noble lord to proceed, which Viscount Melbourne again attempted to do; but the interruption was still so great as to prevent his being heard even within a few yards of the position he occupied. His lordship observed, that "it would be quite improper to introduce anything whatever of a political nature or character on such an occasion. The occasion was altogether improper, and the place itself unfit for such discussions. The hall in which they were assembled was well calculated for the reception of the distinguished and numerous guests whom the authorities of this great city called around them; but unquestionably it was altogether unfit for debate or discussion of a political nature; being so large that, even if requisite silence were preserved, no voice could travel to any considerable distance in it; but if silence were not kept, one could hardly hear what he himself was uttering."

The noise and tumult which had prevailed from the first announcement of the toast became

now more uproarious still; and the noble viscount found it impossible to proceed.

The lord mayor again interposed. "Little had he anticipated that at such an entertainment as the present he should be called on to interpose for the purpose of obtaining order and silence. Certainly, he must say, they were not paying to the lord mayor and sheriffs that compliment which they had a right to expect." [Cheers.]

Lord Melbourne once more attempted to address the company, but was not audible beyond the immediate vicinity of the cross table.

The duke of Wellington's health was received with applause. The recorder, Mr. Law, tried to make some amends to the ministers for the rough treatment they had met with. He complimented lord John Russell and the marquess of Normanby, though differing in politics from both, on the attention they had always paid to the recommendations, and deference to the authority, of those who filled the judicial office.

The party broke up about twelve o'clock.

— GERMAN PUBLICATIONS. — The catalogue of this autumn's book fair at Leipsic, which may be regarded as a fair index of the literary and scientific activity in Germany during the last six months, announces 4,071 new works published by 518 booksellers. The number published in the summer half-year of 1829 was about 3,600, and that of the corresponding period in 1819 only 1,300. It is said that this increase, judging from the business which is doing by printers and booksellers, will still go on in a similar proportion.

— FIRES IN AMERICA. — The papers from that part of the world, received at this time, make mention of most destructive fires in New York, Philadelphia, and Mobile. Of the conflagration in New York, the following particulars are given.

The loss by the great fire in Water-street was estimated at about 1,000,000 dollars. It was much the greatest fire that has occurred there since the conflagration of December 1835. The entire square bounded by Water, Fulton, and Front-streets, and Burling Slip, became a heap of ruins, except five or six stores of Fulton-street—only one in that street being wholly destroyed, and one in Front-street, next to the corner of Fulton. Some of the remaining buildings were much damaged. The entire square was devoted to extensive commercial pursuits. So rapid was the progress of the flames, that several stores were destroyed, with their contents, before the doors could be reached. It was with great difficulty that the large hotel known as Holt's was saved from destruction.

10. SUICIDE. — This evening (Saturday) an inquest was held on the corpse of Mr. William Unwin Sims, whose suicide took place the previous week. From the evidence it appeared that Mr. Sims had been much harassed by business. He was a partner in two mercantile firms, chairman of the Glenarvon Iron Company, chairman of the Great Western Railway Company, and a bank director. He was a bachelor, about forty-five, remarkably attentive to business, and supposed to be a very prosperous man. Evidence was given that his own

private banking account, and the accounts of the houses with which he was connected, were what are called "good accounts"—the amount of assets in hand being considerable. Mr. Sims, however, had complained to his solicitor, that he "had two many irons in the fire," and, "what with the Bank and other matters," was "overdone." He talked of a journey to Madrid by way of relaxation, with one of his brothers. He had insured his life for 20,000*l.* with the intention, as he said, of surprising his family with an unexpected fortune. Nothing remarkable appeared in his manner on Thursday night when he went to bed; but on Friday he did not make his appearance as usual, and his servant found him lying down, his head shattered by a pistol-bullet, the pistol in his right hand. He had evidently shot himself through the mouth. The jury found a verdict of "Temporary insanity." We may here mention, as a further proof of the contagion of examples of self-destruction, that on the following Tuesday a coroner's jury assembled to inquire into the circumstances of the suicide of Mrs. Priscilla Austin, wife of Mr. Antony Austin, of Bayswater, and daughter of the late Mr. David Ricardo. The housemaid said, that on Saturday morning she found her mistress sitting in bed, the bed-clothes covered with blood; and it was found that Mrs. Austin had cut her throat with *two* penknives, which were found on the bed. Mr. Austin was too much distressed to appear before the jury; but Mrs. Austin's brother and the servants gave evidence which satisfied the jury of her "temporary mental derangement." Mr.

Sims was an intimate friend and distant relation of the family; and the account of his suicide had deeply affected Mrs. Austin.

11. CHARTIST TRIALS.—At the Kirkdale petty sessions, sentences were passed on thirty-five chartist prisoners, who were at the commencement of last week, tried and found guilty of riots and assaults in the parish of Leigh, in the county of Lancashire. They were condemned to various terms of imprisonment with hard labour, and at the expiration of their terms of confinement, they were all to be bound over to be of good behaviour for twelve months.

12. STOCKDALE V. HANSARD.—The question of parliamentary privilege was again *sub judice* in the courts of Westminster-hall; Mr. Stockdale having commenced another action against Messrs. Hansard for the continued sale of the report of the prison inspectors, and laying his damages at 50,000*l.* The defendants suffered judgment to go by default; and a writ of inquiry was issued to the sheriff of Middlesex to assess damages in the action. The sheriff having summoned a jury, the defendants served notice of the house of commons' resolution concerning the publication of its reports, on Stockdale, his attorney, the sheriff and under-sheriff; and the sheriff, to protect himself, embodied the commons' resolution on an affidavit, on which he applied to the court of queen's bench to enlarge the return to the writ of inquiry till the meeting of parliament, or till something should be done to avert a contest between parliament and the courts. Mr. Kennedy in the bail court, before Mr. Justice Littledale, spoke in support of the sheriff's application. When he

had concluded, Mr. Justice Little-dale said—"I think in this case there is not sufficient ground for the court to interfere, and therefore there must be no rule."

The case came before the under-sheriff and a jury, in Red Lion square, on the 12th inst. Stockdale pleaded his own cause; nobody appeared for the defendant, and the jury awarded 600*l.* damages.

— FIRE.—A dreadful fire, by which eight persons lost their lives, occurred early in the morning, in Widegate-alley, Bishopgate-street. The fire originated on the premises of Mr. Barton, scale-board and hat-tip manufacturer, but soon spread to some adjoining houses occupied by poor persons, most of whom escaped; but eight, among whom were three children, were overwhelmed by the falling in of one of the houses. Their bodies were dug out, dreadfully mangled. The fire was first discovered by a city police-constable. He was passing down Widegate-alley and was astonished to find it filled with a dense volume of smoke, of which, notwithstanding he made a very minute examination from one end of the place to the other, he was unable to discover the origin. He sprang his rattle and aroused the inmates of every house by knocking at the doors, when a scene of the most extraordinary character presented itself, in this close and densely populated neighbourhood. Parents with their offspring in their arms, and men, women, and children of all ages and of both sexes, were seen running in all directions from the scene of the conflagration in a complete state of audity. In a few minutes the upper part of the house No. 10 appeared enveloped in flame, and

in the midst of them a female was observed to throw herself from the first floor window. She fell on the pavement below; she was picked up apparently dead, and conveyed to a neighbouring house. The police endeavoured to force their way into the house to ascertain if there were any other inmates, but were unable to do so, in consequence of the rapidity with which the flames progressed.

When the fire had been got under, by the assistance of engines, a search was commenced among the ruins. On entering the remains, a blackened mass was discovered, which, on examination, proved to be the body of a female. On the removal of this body, those of three children, from four to nine years old, were discovered directly under it in a position which left no doubt that the body of the female was that of their mother, and that they had all fell together clasped in each other's arms. The bodies of three men and another woman were subsequently discovered, but burnt in so frightful a manner as to render it impossible to identify them. Some of them were completely decapitated, and others divested of their arms and legs.

A man of the name of Newman, who fortunately escaped, gave the following account of what came to his knowledge respecting this occurrence:—He, together with his wife, slept in the front room on the first floor of the house No. 10, and retired to rest the night before about half-past eleven, previous to which time he had gone over the factory and had found the fires quite out, and everything perfectly safe. He continued awake until about two o'clock, when he heard, as he believed, a man named Flood and his wife, who lived with their fa-

mily in the second-floor back room, come in, and stumble up stairs in a very clumsy manner, as if they were in liquor. Newman said, he then went to sleep until six o'clock, when he was awakened, as he thought, by the heavy falling of rain. He awoke his wife, and called her attention to it, and then got out of bed to dress himself, which took him about a quarter of an hour. On opening the room door to go down stairs, a vast body of flame burst in upon him, and had he not fell down on the floor he must have perished. He scrambled to the window and opened it, and the current of air caused the fire to ascend the staircase, and enabled him to descend and open the street door to call for assistance; but seeing no one, he returned to take care of his wife, but whilst in the act of assisting her out of the room, the upper staircase gave way and fell in a mass of blaze before them. He, however, succeeded in again reaching the street door, but his wife retreated to the room and threw herself out of window, and was picked up dreadfully injured. Newman said, he could not form the slightest idea as to how the fire originated; but Flood was a man of intemperate habits.

An inquest was held on the bodies, but no further evidence as to the origin of the fire was elicited.

13. **LAW DECISIONS.**—The court of common pleas decided, that aliens may bring actions for libels in British courts of justice. The case on which the question arose was that of *Pisani versus Lawson*. The plaintiff was an interpreter or dragoman at Constantinople, and complained of libels against him in the Times newspaper.

15. In the same court it was

decided, in the case of *Bryan versus sir George Arthur*, that the governor of a colony has power to revoke the assignment of a convict servant, although not with the intent to pardon him or mitigate punishment, but merely to remove him from the service of the master to whom he had been assigned.

— **THE ROYAL GEORGE.**—The detachment of royal sappers and miners employed at Spithead, arrived at Woolwich dock-yard. Colonel Pasley having concluded his operations against the Royal George for this season. It was resolved to recommence operations the following May. There had been consumed during these experiments 12,940lb. of powder. Above 100 tons of the wreck had been recovered and placed in the dock-yard at Portsmouth, with five brass and six iron guns. It was stated, that the total expense incurred had been more than defrayed by the value of the articles recovered.

— **CORONER'S INQUEST.**—An inquest was held at the Royal William tavern, Ball's-pond, on the body of Mr. William Slack, aged sixty, one of the senior clerks in the accountant's-office, bank of England, who committed suicide by hanging himself. The case was rendered, if possible, more painful to the unfortunate gentleman's family, from the singular fact that suspended animation was for a time restored, when sanguine hopes were entertained that life would be preserved.

Joseph Jay, a plumber, deposed, that about a quarter past eight o'clock on Tuesday morning, the 12th, he was passing the deceased's residence, No. 5, St. Paul's-terrace, Islington, when a young lady who was standing at the

street door, in a dreadfully agitated state, called to him, exclaiming, "Oh, for God's sake, help! my poor dear father has hanged himself." Witness ran into the house, and on ascending to the back drawing-room found that the deceased had just been cut down by his youngest son, the unfortunate gentleman having suspended himself by a rope to one of the rails of the bedstead. He was apparently quite lifeless. A surgeon promptly attended, who bled the deceased in the arm; shortly after which breathing was perceptible.

Edwin Slack, a youth about eighteen years of age, the deceased's youngest son, deposed, that on the Monday night his father appeared in a very distressed state of mind. Lately he had been very wretched, repeatedly placing his hands to his forehead. Witness and the rest of the family were kept in a state of continued alarm, being convinced that his unfortunate parent was not in his right senses. In the morning he had asked me for a pistol which witness had; but, fearful that he meditated self-destruction, witness refused to give it. He had frequently threatened to destroy himself. He had not attended to his duties at the bank for the last four months, having obtained leave of absence to settle some pecuniary embarrassments.

The jury returned a verdict of "Temporary mental derangement."

16. **PRESENT TO MR. R. STEPHENSON, THE ENGINEER.**—At a public dinner at the Albion tavern, Aldersgate-street, a very magnificent service of plate, valued at upwards of 1,250 guineas, was presented to this gentleman. The plate had been subscribed for by railway contractors, (the subscrip-

tion being limited to that class, and the amount to 5*l.* from each person,) in token of their respect and esteem for Mr. Stephenson's private and professional character and conduct, in bringing to completion the London and Birmingham railway. The dinner was attended by about two hundred gentlemen, including several eminent engineers, architects, railway contractors, iron-masters, and gentlemen connected with railway undertakings.

18. **INTIMIDATION OF WORKMEN.**—At the magistrates' court, at Kirkdale, Hugh M'Gowan and Charles Driffield were charged with having, together with several others, committed a violent assault on several of their fellow-workmen. It appeared that most of the twine-spinners in the employ of Messrs. Jackson and Co., ropers, were strangers who had been recently employed. Since they entered the service of Messrs. Jackson, the ropemakers had taken frequent opportunities of annoying them, and several violent assaults had been committed on them. By way of enforcing their wishes, the ropemakers had more than once destroyed the wheels, &c. where the twiners worked. The warrants were issued on the informations of Joseph Webster and Patrick Neale, of West Derby. The witnesses were all twine-spinners, in the employ of Messrs. Jackson. They were corroborated by one or two individuals who happened to be present. It appeared that on the night of the 15th, the witnesses and the two prisoners, with several of Messrs. Jackson's ropers, were at the Old Swan public-house. The ropers did not enter till some time after the twine-spinners. Shortly after the arrival of the

former, one of them took up his glass and drank as a toast, "Here's to h—l with all b—— blacksheep." Another of the ropers immediately stepped forward and took off his jacket, when one of his companions got before him and said that he should not strike. The twine-spinners, fearing mischief, left the house. They were immediately followed by the ropers, who, the moment they got outside, fell upon the twine-spinners and knocked them down, and beat and kicked them most brutally. As all the latter were strangers, there was great difficulty in identifying the prisoners. It was distinctly sworn, however, that Driffield had knocked a man named Hussey senseless, and afterwards kicked him. One Lawson Blythe was struck on the head with some instrument, and was taken up from the road insensible. Several of the others were beaten in a shocking manner. The evidence against Driffield was conclusive, and it appeared that he had before been in custody for similar conduct. The evidence against M'Gowan merely showed that he was one of the assaulting party, but he was not sworn to as having actually struck. The magistrates, therefore, thought proper to acquit him. Driffield was fined 5*l.* and costs, and to find bail to keep the peace.

19. *Lockwood v. Lockwood.*—In the Consistory Court, Dr. Lushington gave sentence in this case, which was argued during the previous Trinity Term. The suit was brought by Lady Julia Lockwood for a separation by reason of Mr. Lockwood's alleged cruelty. The marriage took place at Rome in 1821; the parties lived together, principally abroad, till October, 1824, when they finally parted.

The first, third, fourth, and fifth article of the libel, the learned judge said, he considered wholly without proof, as well as the sixth article, which charged general ill-treatment whilst the parties resided at the Hotel de Castries in 1831. The seventh article pleaded, that whilst resident at that hotel, Lady Julia being about to dine with Mr. Locke and his family, who resided at the same hotel, Mr. Lockwood seized her roughly by the arm and swore at her, she being in a very weak state of health; that Mr. and Mrs. Locke interposed for her protection; and that that night Mr. Lockwood kicked his wife out of bed. Mr. Locke had been examined on this article. The substance of his evidence was, that Mr. Lockwood was in a very violent passion, "almost blind with rage;" but he did not depose to any force or threat of force, though he expresses his belief that Mr. Lockwood was prepared to have dragged his wife out of the room if she had not clung to the witness; but he added, that after dinner he thought the whole matter forgotten. Mrs. Locke stated that Lady Julia came into her apartment much alarmed, went through it, and concealed herself in another room; that Mrs. Locke locked the door, and refused to let Mr. Lockwood in at first, and when she did, he showed very great violence and broke open two of her doors. Towards dinner Lady Julia came in and begged protection of Mr. and Mrs. Locke; Mr. Lockwood, in a violent passion, seized her arm, and, in spite of Mr. Locke's interference, attempted to drag her to the door, and with oaths declared she should not sit down to dinner. Mr. Lockwood's fury was such that the witness was appre-

bensive of serious consequences if she was left alone with him. Lady Julia's state of health was bad at the time, and she suffered from the tic dolooureux. There was no charge pressed against Mr. Lockwood from this time till the autumn of 1832. The eighth article pleaded general harshness of behaviour; that whilst at Lady Aldborough's, in George-street, Hanover-square, Mr. Lockwood desired his wife one evening, about half-past nine o'clock, to go to bed; on her declining, as Lady Aldborough had company, he swore she should, and with great violence dragged her by the arm and hair out of the room up to her bedroom; that her maid, being alarmed, got him out of the room and locked the door; that Lady Julia went into Lady Aldborough's bedroom; that Mr. Lockwood forcibly entered and pulled her out; that Mr. Gore, who was present when Lady Julia was dragged out of the drawing-room, expressed his indignation, and Mr. Lockwood apologised. The responsive allegation on the part of Mr. Lockwood admitted a dispute between the parties on this occasion; and that Mr. Lockwood took Lady Julia upstairs to her own room, and afterwards removed her from Lady Aldborough's room to her own; but it ascribed the origin of the dispute to a conversation between Lady Julia and Mr. Gore, said to be very offensive, and denied pulling by the hair and all violence, as well as any apology to Mr. Gore. One of the most important witnesses in support of this charge was Mr. Gore, the nephew of Lady Julia by the half-blood, and Mr. Lockwood alleged that there was an unrestricted familiarity of intercourse between them which he deemed improper;

to substantiate which averment, he annexed certain letters from Mr. Gore to Lady Julia, and pleaded finding Mr. Gore in her bedroom, she being in bed. The learned judge said, there could be no doubt that Mr. Gore was a biassed witness, from his close connexion with Lady Julia and from his violent dislike to Mr. Lockwood; the degree of credit, therefore, to be given to his evidence was to be governed by circumstances. Mr. Gore deposed that, without any apparent cause, Mr. Lockwood insisted with oaths on his wife's going to bed; that he seized her by the hair and arms and carried her out of the room; that the witness told him his conduct was cowardly and ungentlemanlike; that Mr. Lockwood burst into tears and desired him to say nothing about it, though he did not directly apologize, and the witness on interrogatory negatived the previous provocation pleaded in the responsive allegation. Lady Julia's maid stated, that she saw Lady Julia with her hair undone, crying dreadfully, and Mr. Lockwood pushing her behind upstairs. Pickles, another witness, saw Mr. Lockwood dragging Lady Julia from the drawing-room upstairs, holding her by the arm or shoulder; he was using violence "rather than otherwise;" her hair was all down; she was crying violently. Mr. Lockwood said, "D—n you, I'll make you!" The testimony of these two witnesses, therefore, very strongly corroborated that of Mr. Gore. The ninth article pleaded, that whilst Lady Julia was in her bedroom one evening, Mr. Lockwood seized her by and twisted her arms in a cruel manner. The substance of this article was proved by the maid, who found

Mr. Lockwood letting go his wife's arm, and saw marks on her side, where Lady Julia told her Mr. Lockwood had kicked her. It was further proved by the evidence of Dr. Siechell, who attended Lady Julia when suffering manifestly from the effect of this ill-treatment.

The 10th, 11th, and 12th articles, Dr. Lushington said, might be passed over. The 13th details the circumstances of lady Julia's resolving to quit her husband, and taking refuge in the bed-room of lady Anne Maria Dawson, then on a visit at the house, and it pleaded that Mr. Lockwood swore he would go into the room and bring her back "by the scuff of the neck," and that he was prevented by the interference of Mr. Fitzjames. The evidence of lady Anne Maria Dawson did not prove any misconduct of Mr. Lockwood in her presence; it only showed the strong impression made on her mind by the statement and appearance of lady Julia. Mr. Fitzjames deposed to Mr. Lockwood's threat, to pull his wife out "by the scuff of her neck," and to his own interference; to Mr. Lockwood's agitation on finding lady Julia had quitted his roof, and taken shelter under that of another; to his admission that he had been very much to blame, and "a brute to her;" and to his willingness to engage, if she would return, not to subject her to any personal molestation. Mr. Fitzjames's evidence was corroborated by a document in Mr. Lockwood's own handwriting, in which he consents to a species of separation, to an arrangement with respect to herself and children, to his own exclusion. The learned judge said, he had hitherto confined himself to the charges preferred by lady

Julia, but before he considered the last, namely, the occurrences at Tunbridge-wells, he must advert to Mr. Lockwood's plea, which might be divided into three parts, first, defensive against the charges, and not a single witness had been examined on these averments; secondly, accusative of lady Julia, and many documents were appended as to this point, but no witnesses were examined, save with reference to the children; thirdly, relative to the negotiations for a separation. With respect to the last, the refusal of lady Julia to consent to a separation on pecuniary terms alleged to be reasonable, could not affect the legal judgment of this court on charges of cruelty. As to the misconduct imputed to lady Julia, no criminality was ascribed to her; indeed, the prayer that the court would order her to return home and cohabit with her husband, was the strongest disclaimer of any such criminality. But she was accused of flirting, and of levity of manner, and impropriety of conduct towards gentlemen. This charge, though in its nature capable of proof, was not substantiated by the production of a single witness. With respect to the letters produced, if such a correspondence was secret and clandestine, it would have afforded the husband some just cause of offence; not that these letters denoted any departure from purity of conduct on the part of lady Julia, but because they were, at least, not altogether consistent with the strict prudence which husbands have a right to require from their wives. But there was no evidence of the correspondence being clandestine, in the proper sense of the term. Assuming it was, it could not in

any degree extenuate the violence of Mr. Lockwood. If not discovered till his visit to Tunbridge-wells in 1838, it could have no operation on his preceding conduct. Interrogatories, as to levity of manner and impropriety of conduct on the part of lady Julia, had been addressed to several of the witnesses, all of whom had negatived the accusation in the most decided terms. The last circumstance was the proceeding of Mr. Lockwood, in forcibly entering the house lady Julia was residing in at Tunbridge-wells, after a separation *de facto* of three years. This proceeding was wholly unjustifiable. A husband, under those circumstances, had no right to take the law into his own hands, and supersede the established tribunals. The learned judge concluded by expressing his opinion, that the prayer of Mr. Lockwood, that lady Julia be ordered to return to cohabitation with him, must be rejected, and a decree be pronounced in her favour. He thought that personal ill-usage had been proved, and that, considering lady Julia's state of health and acute suffering, the effect of such ill usage might reasonably be expected seriously to endanger her health.

19. EXTRAORDINARY CREDULITY.—An instance of this was made public in a trial before the court of assize of Lower Rhine, at Strasburg. It appeared that an entire family, father, mother, daughter, and son-in-law, had stripped themselves of a sum of more than 1,500*l.* the sum total of their savings; and sold at an under price their whole estate, within the space of a few weeks, under the persuasion that St. Theresa or St. Magdalen had given the order, by letters dropped

from Heaven, and signed by the Holy Virgin, or by Jesus Christ himself. The complainants, an old couple, named Kintz, of Hopsheim, were of a simplicity and superstitious credulity almost approaching to idiocy. Their daughter and son-in-law, the couple Berghurst, were nearly equally so. A female domestic, Theresa Heller, who in 1833 had entered into the service of this family, conceived the idea of profitting by their weakness of mind. Scarcely settled more than a few months in their service, she persuaded them that she was in correspondence as well with St. Theresa her patron saint, as with the Holy Virgin and Jesus Christ himself, and that by their intervention she could obtain for the eldest of the daughters of Berghurst, who was a complete idiot, the perfect restoration of her intellectual faculties. To conciliate these heavenly powers, she made in the churches numerous offerings, which her patron, St. Theresa, in an apparition announced to her, ought not to be made by herself alone. The two families of Kintz and Berghurst believed all. They entrusted her with all the money she demanded of them to deposit in the churches. Several times she returned to the charge, alleging that fresh apparitions had exacted from her richer offerings. All the savings of the old people, amounting to more than 1,500*l.*, had already by these means passed into the hands of Theresa Heller, and the condition of their little daughter was in no degree ameliorated.

The money of the Kintz family was exhausted, but the cupidity of their servant was not yet satisfied. She induced her poor dupes to contract loans, to alienate their

real estate. She concocted a new story, quite as gross as the first, but which was attended with equal success. She persuaded her masters that a phantom had appeared to her in the barn, and had announced to her that an immense treasure would be found, buried there ever since the thirty years' war. But, as this money was under the watch of evil spirits, it was necessary, in order to discover it, to purchase by rich offerings the protection of St. Theresa and St. Magdalen, who would cause it to issue from the earth. Several times the old couple Kintz found upon their table letters, which Theresa told them sometimes had fallen direct from Heaven, and sometimes had been remitted to her by her patron to give to her masters. By these letters, Jesus Christ or the Holy Virgin enjoined the Kintz family to place entire confidence in the girl Heller, who was a child cherished of God, placed under the special protection of St. Theresa, and to follow her advice without the least remark—to sell all their goods to a Jew of Fegershiem, of the name of Jacques Klein, at the price which the latter should offer for them.

One of these celestial missives was as follows:—

"My dear Grandmother,—You have often cares; banish them, and dream that Jesus Christ will not abandon you. Theresa will gain in the lottery; she will gain ten numbers; she will have more money than two horses can draw.

"Listen, my dear grandmother, I, Jesus, tell you to go to Fegershiem, to Feizel, the red haired. Oh! do not refuse me this prayer, for without that you will drive the nails into my hands. Seek there 120 francs, and when she

shall get the money from the lottery, you can pay the debt. You must set out on Tuesday in quest of the money. It is necessary that you should imagine that God has given it, and that he has retaken it, and that he will restore it."

Obedient to these injunctions, the Kintzes had already sold to Jacques Klein 280 "*ares*" of land for 5,000*l*. Part of this money remained in the hands of the Israelite purchaser, and part had been remitted to Theresa to satisfy the celestial exigencies. Impatience now began to gain upon the married couple Kintz. From this time it was not more by worldly promises than by menaces of hell, of the near end of the world, that they decided to despoil themselves of that property which still remained. One of the last letters is thus expressed:—

"I, Jesus—I am compelled to announce to you a terrible word which need not alarm you. In three weeks from yesterday the last day will come. Fear not, dear grand parents, you, Therese, and your son, your spoiled child, will not die. You will enter body and soul into heaven. I will send forty angels, who shall seek you. You have no more need of riches in this world, the heavenly world is worth more to you."

On her own behalf the holy virgin thus writes to Kintz:—

"Believe that I have actively interceded for you with my divine son, because you have had a very good heart for the poor, and have thanked my son for having sent Theresa for your protectress. The good child has redeemed heaven for you. The last day is not far distant. Oh! dear grand parents, if you come not in body and soul to heaven, you will suffer much

torment the last day, for all will be burnt, the valley of Jehosaphat will flow over. Oh! it is terrible to hear these words, 'You other dead, rise to appear before the judgment-seat.' How many damned souls will there not be there then?

"Oh! dear grandparents, I have a prayer to make to you. Go to the mayor and borrow forty francs. O listen still to the mother of God. I salute you."

These letters had their effect, and the Kintzes (husband and wife) alienated on the 13th of November, 1835, the last two pieces of land which remained to them; and again Jacques Klein was the purchaser, for the sum of 1,500 francs. The old people continued to receive their celestial correspondence until 125 letters had accumulated. This correspondence ceased as soon as the poor people were completely despoiled. The girl Heller then left the house of her master. She married at Lutzelhansen, and from her new residence continued to lull them with chimerical hopes until the commencement of the year 1839. It was not until then that the eyes of the old people were opened. Not only were they themselves possessed of nothing, but their son-in-law and daughter had ruined themselves to pay off the price of the redemption of the goods sold to the Jew Klein; for the latter had resold to the Berg-hurats for 9,000 francs, the goods which he had acquired from the two old Kintzes, for 5,000 francs.

In proof of these transactions, a great number of witnesses were examined. The girl Heller, while entirely admitting all the acts laid to her charge, declared that she had acted under the influence and at the instigation of her fellow-

prisoner Klein, who on his side denied all participation in the acts of cheating and of abuse of confidence. According to his account all the purchases had been made in good faith, and paid for at their just value.

Klein was declared "Not guilty" by the jury. The girl Heller was found "Guilty" upon the two heads of abuse of confidence and of cheating, and condemned to five years' imprisonment.

20. ILLNESS OF THE DUKE OF WELLINGTON. — The metropolis was alarmed by an announcement in the morning papers of the sudden and dangerous illness of this illustrious personage. It was said that his grace had been taken speechless, on Monday night, the 18th, at Walmer Castle, and that the power of articulation had not returned on Tuesday morning. An attack of paralysis or apoplexy was naturally inferred from this report; and, at the duke's advanced age, his recovery was considered almost hopeless. The sensation in town, and indeed throughout the country, was very painful. It was partially relieved, however by later accounts, which stated that the duke, who had been taking great liberties with his diet by way of starving a slight cold, and had followed the hounds on Monday morning, fainted from inanition when he returned to dinner in the evening; but soon recovered, and never was in any danger. Unhappily, if the danger of the attack was exaggerated in the first instance, it appears to have been more serious than the second account represented it. Sir Astley Cooper and Dr. Hume who had been summoned to Walmer Castle, remained in attendance on the duke during the week; but what-

ever may have been the precise nature or degree of his grace's malady, by the end of that time he was sufficiently recovered to proceed to town to attend the privy-council, summoned for the 23rd instant; upon which occasion, the illustrious duke's appearance in public was greeted with marked expressions of congratulation, on the part not merely of his friends and political opponents in the council chamber, but by the crowds assembled round the gates of the palace.

— **SOUTHAMPTON DOCK COMPANY v. RICHARDS.**—A cause of great importance was tried at the Guildhall, before Mr. Justice Erskine and a special jury. The plaintiffs were the Southampton Dock Company, the defendant a Mr. Richards. Mr. Kelly, for the plaintiffs stated, that the defendant refused to pay the calls due on shares which he had taken in the Southampton Dock Company. The first call was for 2*l*. 10*s*. per share, made in 1837; which the defendant obstinately refused to pay, though the act of parliament clearly rendered him liable to the payment. Mr. Kelly said, in order to prove this case there would be very little difficulty indeed, for the act under which the company was incorporated, had prescribed a very succinct and clear course of proceeding in such matters. All that was necessary to prove, in the first place, was, that the defendant was a proprietor of the shares in question, amounting to forty, which would be done by the production of the company's book; secondly, it would be proved that the call in question had been duly made; and thirdly, that the proper notices thereof had been given, as required by the act, in two Lon-

don papers and one "usually circulated in Southampton." These were the three points which it was incumbent on the plaintiffs to make out; and if that should be done, then, under the direction of the learned judge, the jury would find for the amount sought to be recovered, which was 100*l*. on the call, and interest thereon at 5 per cent. Under the plea of "never indebted," the defendant could not possibly have any valid defence to this action.

Mr. William Bolger, clerk to the company, produced the documents mentioned by Mr. Kelly, and underwent a very close examination by sergeant Talfourd, to show that the forms of the act had not been complied with.

The documents which the clerk produced were received as evidence; and Mr. Talfourd said, that as he had no counter-evidence to bring forward, he would not make a speech to the jury.

Under the judge's direction, a verdict was found for the plaintiffs.

It was stated, that on the decision of this case much depended, and many refractory shareholders would in consequence be forced to pay up their calls, to carry forward what they considered a bad speculation.

23. **PRIVY COUNCIL EXTRAORDINARY.**—At a council held at Buckingham Palace, her majesty was pleased to declare her intention to ally herself in marriage with the prince Albert of Saxe Cobourg and Gotha. The whole of the privy-council were summoned on this occasion, and there were eighty-five members present.

28. **INFERNAL MACHINE.**—One of these contrivances, of which there are said to be many in Paris,

exploded on the night of the 28th November, in the Rue de Montpensier, a quarter of the Palais Royal. Nobody was killed; and it does not appear that any mischief to persons was positively intended, but that the explosion, if not accidental, was made for the purpose of alarming the authorities, and intimating to the disaffected that daring spirits among them were on the alert. Opposite to the Passage Potier, in an angle of the gate leading to the shop of Emerique, the money-changer, a portion of the wall was carried off by the explosion: the wall of the house opposite, and the shutters of the glazier's shop, Rue Montpensier, No. 19, exhibited numerous and deep marks, indentations caused by musket-balls; upwards of forty of these balls, flattened by the force of the projection, were picked up in the street. No vestige, however, of the machine containing these projectiles could be discovered. It was only ascertained that it must have exploded at the angle of the wall, which it partly rent. An individual, who was within a few steps of the spot at the moment of the detonation, declared, that a short time before, he had seen, when still at some distance, a lively and brilliant light, similar to that of a squib, at the place where it was supposed the machine had been laid. It happened most fortunately that nobody was passing by at the moment; for, from the marks left by the balls on the wall of the house, No. 19, the scattering of the projectiles was considerable; and from the depth of the holes made in the stone and boards of the shop-window, there was little doubt but the wounds inflicted thereby would have been attended with the most

VOL. LXXXI.

terrible consequences. The commissary of police of the quarter immediately repaired to the spot, and drew up a *proces-verbal* of the whole affair; but hitherto it has been impossible to discover the authors or object of this odious attempt. During the whole of the next day, crowds of people stationed in the Rue Montpensier were seeking the traces of the explosion of the night before. A large number of flattened bullets were again found in the morning, as well as a sheet of paper which appeared to have been the envelope of the machine.

Of three men suspected of being concerned in the affair, two were arrested. One, Beraud, was known to the police as a malcontent of daring character: he was recognized in the streets, though in disguise, and made a fierce resistance.

The union of Bonapartists and republicans, (no longer a secret,) and the knowledge of their intercommunication suggested the arrest on this occasion of the editor of the *Capitole*, a paper supposed to be maintained by prince Louis Bonaparte, and the seizure of papers belonging to him. He was however released after a few hours detention, no offence being proved against him.

29. INUNDATION AND LOSS OF LIFE.—Very heavy and continual rains which fell at this time, occasioned extensive inundations in different parts of the county of Herts, and in some of the lower parts of the county a great deal of mischief was done. At Chess-hunt-wash, the water overflowed the high road for a considerable distance, and the meadows presented the appearance of a river. Owing to the sudden rising of

R

the water in this neighbourhood, a great many sheep and cattle were drowned. The neighbourhood of Watford and Barnet was also very much inundated. The Birmingham rail-road, which completely intersects this part of the country, had the effect of backing the water, and causing it to settle in this locality, and the by-roads and lanes in the neighbourhood of Bushy and Watford, were rendered completely impassable from the depth of the water. On the 29th, a farmer, named Hudsden, was returning to Bushy with a horse and cart, and in passing through Bushy-mill-lane, where the water was very deep, the cart was taken off its wheels, and overturned. The unfortunate man in endeavouring to jump out by some means became entangled in the wheel, and he was thrown into the water, the cart and horse falling upon him. He was discovered several hours after, and with considerable difficulty the cart and horse were got out, but the unfortunate man was, of course, quite dead. The poor animal had by some means or other contrived to keep its head above the surface of the water, and was alive when it was got out, but upon being led a short distance it dropped down dead. Another accident took place at the same spot on the preceding day. A carter, named Stevens, who was driving a waggon laden with cement, upon coming to the water whipped his horses and jumped upon the shaft, intending to ride through it; but when he got into the middle the waggon was overturned, and partly fell upon him, breaking his arm and wrist, and doing him other serious injury. He was fortunately able to get out of the water, and when assistance was procured, the horses

and waggon were rescued from their perilous situation.

In consequence of the same heavy rains, most extensive floods were occasioned throughout the various places abutting on the Thames. The tide, which commenced flowing about twelve o'clock, on Wednesday night, the 20th, being met in its course up the river by an immense body of land water descending, it had, by five o'clock, on Thursday morning, so swelled the stream, as to occasion the river to overflow its banks to a most alarming extent. At Lambeth, all the streets leading to the waterside were, until near eight o'clock, three or four feet under water. At Battersea, Wandsworth, Barnes, Chelsea, Fulham, and Hammersmith, and their neighbourhoods, the marshes and meadows presented one surface of water, and even at Brixton Wash, and its neighbourhood, the immense body of land water flowing down the Effra towards the river, being resisted by the power of the tide, which was increased by the easterly wind, caused all that part to be inundated, the lower floors of the houses having five feet of water in them, and the streets being nearly impassable. The effects of the flood were felt even so high up as that part of Kensington abutting upon the Great Western-road. The high tide having forced a large body of water up the Kensington canal, it soon after four o'clock overflowed its banks, carrying everything before it. The extensive cutting for the works of the Bristol, Birmingham, and Thames Junction Railway, at first afforded a convenient channel for the stream, but its progress being impeded by the Great Western-road, opposite

Lee's nursery grounds, at the commencement of Hammersmith, the cutting soon became full to the brink. From that time until five o'clock, the flood continued to increase, and about that hour, the inhabitants of the parts adjacent being awakened by the rush of waters, became aware of their danger. In Warwick-square and Kensington-crescent, many of the servants sleeping on the basement story had most narrow escapes for their lives.

29. TRIAL FOR MURDER.—In the Central Criminal Court, William Lees, a hairdresser, was indicted for the wilful murder of his wife.

For the prosecution Sarah Bailey, sister to the prisoner, was the first witness called, but she was so dreadfully affected, that several minutes elapsed before she could speak a word. She then with difficulty said, the prisoner came to my husband's house, in York-street, St. Luke's, in the afternoon of the 18th of November, about four o'clock, and when I entered the room where he was, I was very much alarmed at his appearance. He held out a key in his hand, and said to me three times, "There is the key—take it." He appeared almost choked, and then said "I am a murderer." He then said "Come and see," and putting my bonnet on he again repeated "Come and see." My brother John, his wife, the prisoner, and I, then left the house together, and when we got to St. Luke's mad-house, the prisoner rushed towards me and seized my hand, and then, throwing out his arms again, he exclaimed "I am a murderer." I was very much alarmed, and having called a coach we all got into it and drove to Chapman-street,

where the prisoner lived. On leaving the coach, the prisoner walked up one street and down another, as if he wanted to go into his house, but did not like to do so. I had the key of the door and tried to open it, but I could not. My brother John, however, opened it, and on entering the shop, which was in darkness, I groped about and found the deceased lying on the floor. I took her hand, which was warm, but stiff, and asked the prisoner if I should fetch a doctor. The prisoner was very much agitated, and repeated three times "She's dead." I could not stay in the house any longer, and went away. When the prisoner told me he had murdered his wife I could not believe it. I lived with him and his wife for three years. He behaved always very kind and affectionate towards her, even in drink. I have seen him aggravated very much, particularly when he expected his wife home, and she did not return until the middle of the night. Her conduct made him very unhappy. I have seen her intoxicated many times, and when she was so, I have seen her strike the prisoner, who, at most times, bore it patiently, saying she could not hurt him. The deceased told me once, that her husband had a fit, and about five years ago he had an apoplectic fit. Fourteen years ago he fell on the fender in a fit.

John and Sarah Lees, the brother and sister in law of the prisoner, severally confirmed the above evidence, as did also some other witnesses.

William Norman, an inspector of police, said—At half past five o'clock on the evening in question, I proceeded to the house where

the prisoner lived. I found the deceased lying on the floor with her throat cut, and I saw a razor lying at her right side. The blade was covered with blood. I saw the rope produced, which was suspended from a beam in the front of the shop. The rope appeared to have been broken, and I could stand under it, and my head could not reach it. I took it down. There was a noose at the end of it which appeared to have broken.

Elizabeth Frazer—I live next door to where the prisoner and his wife resided. I saw the deceased and her husband walking together past my window at eleven o'clock in the morning in question. They appeared to be sober then. At three o'clock I again saw the prisoner coming from his own door, which he appeared to lock after him. Having heard that his wife was ill, I asked him what was the matter with her. He said she had been ill, but the doctor had given her a strong acid, and that she was better, adding that he was going then to get a person to sit up with her. I observed him put a key in his pocket as he went away. I could hear distinctly anything that passed in the prisoner's shop when a cupboard in my room was open, and between two and three o'clock, before the prisoner left the house, I heard a sort of heavy rumbling noise proceed from the parlour, but, as I keep a school for children, I could not distinctly hear what passed. There was no screaming as I heard. I saw Mr. Garrett, the surgeon, go into the house about twenty minutes before I heard the noise in the parlour. In her cross-examination, this witness confirmed the evidence before

given, as to the drunken and violent conduct of the deceased, and the kind behaviour of her husband towards her.

Thomas Clark, hairdresser in St. John-street-road, said—between three and four o'clock on the day in question, the prisoner came to my shop in such a terrible state of mind, that my wife was alarmed and called to me several times. As soon as I came into the shop the prisoner held out his hand. I said, "Bill, what's the matter?" but I could not get a word from him until he shed a few tears, and then he told me to look in his pocket for the *Dispatch*. I put my hand into his pocket and pulled out a new rope similar to the one produced. I threw the rope aside, fearing that he meant to make away with himself, but he would have it back again. He then went away, saying that he was going to his mother's. I had seen him in drink before, but never saw him in such a strange state as he then appeared.

Thomas Stow said—between two and three o'clock on the day this occurred, I saw the prisoner at the Golden Lion public house, which is within 200 yards of where he lived. I heard him say to a man named Staples, that his old woman was dead, and Rhoda Hall was with her. He then said, "I am sorry for her, for she was a good one," adding that the doctor told him she died of *delirium tremens*, and there was to be a *post-mortem* examination held on her body.

Rhoda Hall—I knew the deceased, who was about twenty-eight years old. About half-past two o'clock on the day in question, I was sent for to the prison-

er's house, and found the deceased in a room up stairs. She appeared ill, as if recovering from a fit. I did not see any blood or marks of violence about her. The prisoner came up stairs from the shop, and asked his wife if she felt better, and whether she wished to go to bed. He appeared kind to her, and the deceased herself was sensible and quite rational. I asked her if the prisoner had abused her; she said "No," and I then asked her if she had had any quarrel with her husband. She made no answer, but shook her head. Mr. Garrett, the surgeon, soon after came in, and the deceased then went down stairs, and spoke to him quite rationally. I left the deceased speaking to the surgeon. I did not perceive any rope hanging from the ceiling.

Mr. George Brown Garrett—I received a message to go to the prisoner's house, and after some delay I was let in by the witness, Rhoda Hall. I saw the deceased, who came down stairs. She had two slight hysterical attacks while I was there, which continued two or three minutes. She was sober and rational. She complained of a pain in her back, and told me the cause. I remained in the shop for about a quarter of an hour. I saw nothing about her to denote that it would have been unsafe to leave her by herself. There was no rope hanging from the ceiling when I was there. The prisoner came while I was speaking to the deceased. He appeared to have been drinking. I left him in the shop with the deceased and Mr. Cory's brother, who had brought a composing draught. I received a second message to attend at half-past five the same

day. I saw the deceased lying on her left side at the foot of the stairs, with her legs drawn up, and her left arm under her. Upon examining her head and body I found seven incised wounds and a punctured one. The deepest and most important was on the left side of the neck. That incision had divided the main arteries, the nerves, and veins of the neck, and immediately above this cut there was another severe cut, but the first wound was sufficient to cause death in a quarter of an hour. From the position in which the deceased lay, the manner in which the razor was placed, the direction of the wounds, the quantity of blood, and the constitution of the deceased, I should say that it was impossible that she could have inflicted the wounds herself. She could not have been able through loss of blood to have inflicted the wounds on her face after the throat was cut. It is my decided opinion that the wounds were inflicted while the deceased was on the ground. The prisoner never applied to me to hold a *post-mortem* examination on his wife. I never told the prisoner that his wife died from *delirium tremens*. Upon examining the rope produced, I should say, that if the prisoner had suspended himself from it, it could not sustain his weight, but I cannot say as much with respect to the deceased. She was a slight slim woman.

Mr. Ryland addressed the jury for the prisoner, and said that if he should show that the deceased was a violent woman, and had most likely struck the prisoner under the influence of passion and drink, the offence would be reduced to manslaughter. There was another view of the case

which he thought the jury might fairly adopt, and that was the prisoner was insane. Or the deceased might herself have inflicted the wound on her throat, and the other wounds might have been the result of a struggle with the prisoner, who sought to deprive her of the razor. The learned gentleman then called witnesses in support of these views of the case, but their evidence was not material.

Mr. Baron Parke having summed up the evidence and commented upon it, the jury retired for about twenty minutes, and then brought in a verdict of *guilty* of murder. The learned judge proceeded to pass sentence of death upon the prisoner, who remained throughout perfectly unmoved, and on being taken from the dock immediately asked for liquor.

29. WINDSOR CASTLE. — Another attempt to gain access to her majesty was made about half-past ten this evening by a respectably dressed man who got over the high iron gates leading to the Castle, opposite to the Long Walk, where no sentries were usually placed. He walked across the park to the grand entrance to the castle, where Smith, the porter, was stationed to whom he said, "I demand admittance into the castle as the king of England," Smith, seeing the sort of character he had to deal with, replied, "Very well, your majesty, but be pleased to wait till I get my hat." The porter then retired within the lodge, and putting on his hat, very quietly introduced him within the castle, and as promptly to the professional care of Mr. Russell, one of the inspectors of police on duty there.

On examination being made concerning the prisoner, it appeared that his name was Stockledge, that he was a partner in an extensive wholesale establishment at Manchester, and had been very recently liberated from a lunatic asylum. He said, in reply to a question from the mayor, that "he was like all other men who wanted wives; he was looking after one," evidently alluding to her majesty. When asked how he managed to get into the park at that late hour, he replied, that "he bribed the sentinel with a sovereign to let him get over." This could not be, as no sentinel was stationed at this spot.

When he was again asked what brought him to Windsor, he replied rather incoherently, that "he was the king of England, and was impelled by the spirit." He afterwards said, "An unknown power had done it," and that "it was the spirit which helped him over the gates."

The poor man was sent off to London in custody, and communication made to his friends respecting him.

30. SHIPWRECK. — A melancholy shipwreck took place on the coast of Scotland, early in the morning. The Petrel, of Stockton, David Parry master, from Dalhousie, North America, laden with timber, drove on the rocks lying between St. Andrew's and the Carr rock; when the master, six men, and a boy, met a watery grave; a female, who had taken a passage from Stromness to Stockton, also suffered. Six bodies besides that of the female were found. One seaman alone escaped to tell the sad tidings; he having got upon a log, and drifted to the beach.

80. INQUEST.—A jury was empanelled at St. George's hospital, to investigate the circumstances attending the death of Richard Smith, a cab-driver, aged 41 years, who, it was alleged, had died from the effects of drinking an immoderate quantity of ardent spirits administered to him by Mr. George Warren, a wine and spirit merchant in Piccadilly. From the evidence it appeared, that about half-past three o'clock on Thursday morning Mr. Warren returned home in a cab, with the driver of which a slight altercation arose on the subject of the fare. The matter was settled by the deceased consenting to take 4s. provided he had something to drink given to him. Mr. Warren then called in several cab-drivers, to each of whom, as well as to the deceased, he gave a glass of rum. The deceased was not quite sober. After he had taken this glass he began to talk, and told Mr. Warren that his heart was broken, and had been for some years, at the same time asking if a situation could be provided for him, so that he might then leave his present occupation. Shortly after this he appeared to be quite lost, and began to talk very incoherently. He then took a second glass, the contents of which he did not swallow one-half. During the time that he was talking in this disconnected manner, the mouth of the deceased was noticed to be slightly drawn up, and almost instantly afterwards, he became perfectly mad. Mr. Warren, observing this, said, "My poor man, what is the matter with you? I will take care of you." He, however, pulled out his watch, and began tearing at the chain, whereupon Mr. Warren seized hold of

him, and called for assistance, and as soon as that had arrived he ran off for Mr. Guthrie, the surgeon. Soon after, the deceased became in such a state, as to render it necessary that he should be conveyed to the hospital, where, notwithstanding everything had been done for him, he expired within three hours. On opening the body a quantity of ardent spirits was found in the stomach. Mr. Warren, having been called in, said, that he had given deceased some rum in common with other parties, but the deceased seemed to be in such a low state of melancholy, that he thought him to require something to support him. The brother of the deceased denied, that he was a drunkard. The jury, however, expressed themselves satisfied with the evidence, and returned a verdict, "That the deceased had died from the effects of drinking ardent spirits."

DECEMBER.

1. TEMPERANCE IN IRELAND.—For some months past the successful exertions of Father Mathew, a Dominican friar, residing in Cork, to promote temperance amongst the humble orders, had excited much attention in this country. His total abstinence society was said to be composed of about 80,000 members, from the southern counties. He now proceeded to visit Limerick, and his reception in that city is thus described by the Limerick Gazette.

"On Saturday evening, Father Mathew arrived in this city, and on the following day, preached to a numerous congregation in St. Michael's chapel. It having

been announced that on Monday he would administer the temperance pledge, the entire previous day and night, and all the day fixed, thousands upon thousands of the country people were flocking into town, from all parts of the country, some having come a distance of one hundred miles for the purpose. The various thoroughfares were literally covered with people, and the steamers plying on the Shannon brought up each trip human cargoes, varying in number from five hundred to one thousand. The holds of the vessels were literally crammed; and wherever standing room was to be found on the decks, it was at once occupied. It was really frightful to see the rolling of the vessels, as they approached the quays. The crowd at the chapel on Sunday was immense; and it was in vain the police opposed the progress of the ignorant multitude; they were struck over and over again, amidst cries of, 'Kill the rascals!'—'Strike them down!' And, ultimately, the mob had it all their own way."

"But, if the crowd and confusion were great on Sunday, it was infinitely more so on Monday, as reinforcements were hourly pouring in from all sides, so that from an early hour in the morning the neighbourhood of Mallow-street, where the reverend gentleman stopped, was occupied by a dense mass of the people, all pressing forward to take the temperance pledge; and so great was the pressure around the house in which Mr. Mathew was, that although alderman Fitzgerald and a party of police were there to keep order, it was impossible to do so; and missiles and blows were dealt

bounteously on them. At length, from the great pressure, the iron railings in front of the house yielded, and a number of people were precipitated into the area; when one woman was so severely injured, that she afterwards died; another had her thigh broken; and many other persons were more or less injured."

"The confusion had now become so great, that colonel Maunsell, at the request of the magistrates, brought a party of the Scotch Greys to the spot, who succeeded in some measure, in restoring quiet; but it was found in vain to administer the pledge here; and, in a short time, Father Mathew, escorted by a party of dragoons, proceeded to the County Court house, followed by thousands of people, where, it was hoped, more accommodation would have been afforded; but the doors of the Court-house were closed, and, ere long, the pressure of the mob in the large open space, extending from the New Bridge to the Court-house, was so great, that the entire railing which surrounded the building gave way, and several persons fell into the river, and many more were taken to the hospital severely injured by the falling of the rails, and trampled on by the crowd. The Scotch Greys were again called on to preserve order, and, after a considerable time, succeeded in separating the dense mass.

"It was now rumoured that Father Mathew had proceeded to the Corn-market, as a more convenient place for the proceedings; and accordingly the rush took place in that direction; and from that again to Mallow-street, which once more became the general resort. But during the entire day,

the spacious streets of our city seemed completely covered with human beings running to and fro; *many of them in a beastly state of intoxication, after drinking their 'farewell to whisky,' and blindly rushing to the taking of the temperance pledge.* We have witnessed many scenes of uproar and confusion, and seen large bodies of people together, but such a scene as the city presented yesterday we have never witnessed. At a moderate computation there could not have been less than 40,000 strangers in town; indeed, so numerous were they, that provisions could scarcely be had. The threepenny loaf brought so high a price as sixpence; and the potatoes and other articles, consumed by the lower class, advanced in an equal ratio. Towards night, from the apprehension of rioting, many of the shops were closed; but the precautions taken by the magistrates preserved the peace."

"On Monday, and the next day also, thousands of poor people were prostrate on their knees and bare-headed in Mallow-street; where Mr. Matthew, from the steps of one of the houses, assisted by two other Roman Catholic clergymen were occupied administering the pledges to them. The reverend gentleman was obliged, on this occasion, to depart from his usual practice of 'curing them of whisky-drinking' one by one, and to perform the operation on fifties and hundreds at the same moment!"

2. ASSAULT.—Lord George A. Beauclerk, an officer in the 10th Hussars, and brother of the duke of St. Albans, was charged at the Guildhall, Exeter, with an indecent assault upon Mrs. C. Brinley, the wife of Mr. Joseph Brinley, of King-street. On the previous

Saturday evening, while Mrs. Brinley was at the door of her house, lord Beauclerk came up; and in a most indelicate manner committed the outrage upon her. The noble lord did not deny the charge; and stated, in extenuation, that he had been drinking a great quantity of wine on that evening. The noble lord was fined in the full penalty of 5*l.* and costs.

3. INQUEST ON THE CHARTIST RIOTERS.—At Newport coroners' inquests were held on ten bodies of men killed in the attack on the Westgate Hotel, and on every case a verdict returned—"That the deceased came by his death by an act of justifiable homicide by some persons unknown." The only remarkable fact was stated by a policeman—

"As soon as the firing ceased I came into the Westgate and saw five persons, three dead and two others not dead; but they died soon afterwards. Two were by the back-door, two in the passage, and one in the pantry. I was then informed that the soldiers were short of ammunition, and I went to the body of the one in the pantry and found twenty-five rounds of ball-cartridge in his trousers pocket, which I handed over to lieutenant Gray, and he immediately divided it amongst the soldiers. I also found some powder and ball on others."

3. MARY LEWIS v. PONSFORD.—In the Court of Queen's Bench, a rather curious action of trespass was tried.

It appeared that Mrs. Lewis, the plaintiff, kept a boarding-house in Manchester-street, Manchester-square, at the time the defendant, a gentleman of respectability, committed the trespass,

by violently entering the house and creating a great disturbance there, labouring, as the plaintiff alleged, under strange and unfounded suspicions. The defendant in answer to the action pleaded, first, that he was not guilty of the trespass; secondly, that the plaintiff was not possessed of the house; thirdly, that certain goods of his, to which he was lawfully entitled, had been wrongfully placed in the plaintiff's house by her will and connivance, and that, as she had refused to give them up when requested, defendant, in order to demand them peaceably, entered the house; fourthly, he pleaded that his wife was living in criminal intercourse with Sir Richard O'Connor in the plaintiff's house, and that he went thither to reclaim her and take her away; the fifth plea was to the effect, that although his wife had as she asserted a deed of licence to live apart from him, that deed was drawn in such a way as to admit of a reconciliation, that the deed of licence had been revoked with that view, and that he had then, under the impression that his wife was associating with improper persons, gone to the plaintiff's house to reconcile himself to his wife, and take her home with him.

The attorney-general, who conducted the cause for the plaintiff, proceeded to call his witnesses. The evidence as to the ownership of the house was not very distinct. The facts of the trespass complained of were stated by the following witnesses, and corroborated by two others.

John Hardy, a police-sergeant. Witness was on duty in Manchester-street on the morning of the 19th of February, 1838, when

he was addressed by the defendant, who said he was going to No. 51, where his wife was, she having left Devonshire, and carried away 2,000*l.* worth of property without his consent, which property he was then going to secure. Witness said he could not interfere, and told him that if he created any disturbance he must take the consequences. Ten minutes afterwards the maid servant called witness into the house; he went upstairs to the second floor, and found the defendant in Mrs. Ponsford's bed-room. She was in her night-dress, and Miss Lewis was in the bed—at least he judged so from the direction whence her voice proceeded. The defendant said he wished his wife to leave the place. Witness refused to interfere, observing that it was a case for an attorney. Plaintiff said it was very improper for the defendant to be in her daughter's bed-room, and desired him to go away. He replied that he did not wish to commit any breach of the peace, but he wanted his wife. She said that she had been brutally treated by him, and would never live with him. There were three men with the defendant, and a small red box was handed out of the room to one of them. The men were standing quietly at the door or on the stairs. Plaintiff talked very loud, and tried to push defendant out of the room. Witness stopped her, and said he could not allow a breach of the peace in his presence.

As to the character of the house and its owners, only two of the lodgers were called, who denied being cognizant of any impropriety either on the part of Mrs. Lewis or Mrs. Ponsford.

Mr. Crowder addressed the jury

for the defence. He said, he could scarcely believe that the attorney-general had been properly instructed in the facts of this case, otherwise it would have been presented to the jury in a more cautious manner. Yet this was not the first action which had been brought against the defendant on the same circumstance. It was the first time the present plaintiff had brought an action against the defendant, but the alleged trespass on the premises, 51, Manchester street, had been made the ground of a former action, commenced, not by Mary Lewis, but by Barbara Lewis, who was then represented as the owner of the house. Mr. Crowder asked why was not Barbara Lewis put into the witness-box to prove the proprietorship of the house? She had been kept back for fear of a cross-examination. This case had been considered as one of gross outrage; but what were the facts? The defendant was married to Mrs. Ponsford at Munich, in 1832, and in 1835 certain differences arose between them; but it was not necessary to go into those of an earlier date than 1837. As to these there was most conclusive evidence that from the month of May to July, 1837, sir R. O'Connor was living in adultery with Mrs. Ponsford in the plaintiff's house. This, Miss Barbara Lewis would have been made to prove, had she been put into the witness-box. Nay more, it could be proved that sir R. O'Connor and Mrs. Ponsford so lately as January, 1838, when the alleged trespass took place, were still living together improperly in the same house. By the deed of separation Mr. Ponsford agreed to pay certain monies to Mrs. Pons-

ford, and to allow her an annuity; she was to live apart, and neither party was to molest the other. But that agreement, he contended, did not prevent the defendant from seeking possession of his wife and property, because the trustees appointed had refused to act, and the instrument was therefore rendered inoperative; but even if it had been binding when the act of adultery could be proved, there was an answer in that fact to any charge of trespass that might be made, for it could not be contended that any such deed was a licence to commit adultery. The learned gentleman then called the following witnesses:—

Mr. James Ponsford, brother of the defendant, remembered going to the house of the plaintiff on the 12th of December, with his brother, where they saw Mrs. Lewis, who was informed by his brother that his wife had left him at Exeter, and he wished to know if she was there, and warned her against encouraging and harbouring her. She replied that she had a great objection to interfere in the quarrels of man and wife, and was angry with Miss Lewis for the active part she had taken. She stated that Mrs. Ponsford was not in the house, neither should she be suffered to come into it. Witness's brother further told her that he would not be answerable for her debts, and that she had carried away some deeds and property belonging to him.

Mary Elizabeth Fleet examined.—Is fifteen years of age. Lived with Mrs. Lewis as a servant, in April or May, 1837. Remembered Mrs. Ponsford, two other ladies, and Sir R. O'Connor, coming to the house and engaging apartments—a bed-room for Mrs.

Ponsford, and a bed-room and dressing-room for sir R. O'Connor. The other two ladies went away, as did also Mrs. Ponsford and sir R. O'Connor. Mrs. Ponsford returned in the evening. Witness did not see sir R. O'Connor that evening. The next morning she went up stairs with two cups of tea which had been poured out by Miss Lewis. Mrs. Ponsford was then called Madame Schoeler, and represented to be sir R. O'Connor's niece. On going into Mrs. Ponsford's room with the tea she saw sir R. O'Connor in the bed with her, and he attempted to jump out. Witness put the tea on the table and came out of the room. They went out that day together and dined together. The next day she took warm water up, and she saw sir R. O'Connor in his shirt, and Mrs. Ponsford in her night-dress, walking about the room. During the time witness remained in the house, which was about three weeks, she frequently saw similar occurrences. Witness waited on Madame Schoeler at her request instead of Ann Lynch, the housemaid. Madame was kind to her, and gave her a bombasin gown. Had seen sir R. O'Connor give madame money. Left her place because she was not strong enough for the work.

The conclusive evidence of this witness was fully corroborated by the next, who had lived as cook with Miss Lewis during the period in question. She deposed to having told both Mrs. and Miss Lewis of the intimacy between the parties, but they refused to give credit to her statements.

Another servant, Jane Bone, gave direct evidence to the same effect. This witness also said she

collected Mr. Ponsford and his brother coming to the house for his wife. Mrs. Lewis denied her, but witness could swear that she was in the house five minutes before, and that she had slept in it all night. One of the lodgers, captain Barnes, dressed Mrs. Ponsford in Mrs. Barnes's clothes, and led her out to a coach, and returned without her. He then took her carpet-bag to her in the coach. She was away about a week. Sir Richard O'Connor came about three weeks afterwards. Had heard Miss Lewis speak of the intimacy, and say that she would not believe it unless she had seen it. Lived with Mrs. Lewis thirteen months. Mrs. Lewis used to drink gin before breakfast and at all hours of the day. Never used to mix it. She did this day after day, and was sometimes very much intoxicated in the evening. Had seen her smoke cigars with a captain Disney, every day he dined at home, in the dining-room. The other lodgers had retired. Did not say anything about the intimacy between Mrs. Ponsford and sir R. O'Connor to the attorney before the last trial, because she was not asked, and because Miss Lewis came to her and told her, "You know nothing, and don't say anything; if you do I will subpoena you, and do my best to transport Mr. Ponsford."

Another witness Martha Walkins, said she was hired by Mrs. Lewis, in July, 1837, as a servant, and stayed in her house a month. Witness left because she did not approve of the house. Colonel Latour, one of the lodgers, behaved improperly to her. Had seen Mrs. Lewis several times very drunk; indeed she was

scarcely ever sober. She used to drink gin or rum neat before breakfast and dinner; and was often intoxicated at noon. Had seen her also smoking cigars as before described; and Captain Disney used to help her up stairs when she was unable to go by herself.

Thomas Latham, a carpenter, recollected accompanying Mr. Ponsford and two other men in February 1838 to the plaintiff's house. Mr. Ponsford rang the bell; the door being opened, Mr. Ponsford gave a note to the servant, and witness followed him into the house and up to the landing, when Mr. Ponsford endeavoured to persuade Mrs. Ponsford to return home, and was going to take away the jewel-box, but Mrs. Ponsford resisted. Miss Lewis knocked with a stick on the floor and made a great noise. Mrs. Ponsford was inclined to go home with her husband, but Mrs. Lewis advised her not, calling him a blackguard and a brute, and so on. Captain Barnes also made a tremendous noise, said he would kick them all down stairs, and ran about to get policemen to take them into custody. Captain Mills said, "This is not Mr. Ponsford; Mr. Ponsford is a great tall man, six feet high," and wanted him to be turned out. It being understood, that Mrs. Ponsford was going home with her husband, witness was coming away with the jewel-box, when it was discovered that Mrs. Ponsford and Miss Lewis went out at another door into the mews, disguised by large cloaks being thrown over their heads. Witness got Mr. Ponsford made acquainted with the fact, and he ran out of the house. At that time there was

no crowd before the house, not a single person, but on Mr. Ponsford returning, a policeman knocked at the door most violently, and made a great disturbance in order to get admission, and this induced people to stop, but there was not at any time fifty persons there.

Lord Denman in summing up, observed that the pleas were no answer to the trespass, as the circumstances did not justify it, and he left it to the jury to say to what amount of damages the plaintiff, taking all the facts detailed in the evidence into consideration, was entitled. The jury, after having retired for nearly two hours, returned with a verdict for the plaintiff—Damages one farthing. The trial lasted eleven hours.

3. LIBEL.—A trial for libel against the proprietor of the *Dublin Evening Mail*, at the suit of Mr. ex-sheriff Jones of Dublin, occupied the court of Common Pleas in that city until nearly seven in the evening. The presiding judge was chief justice Doherty. The libel affected the plaintiff's character as a banker, and went to state that his attacks upon the recorder were likely to injure the royal bank of which he was a director; that several had closed their accounts in it, and others were preparing to do so. The plaintiff's case was ably stated by Mr. Holmes; who eloquently contended for the right of commenting freely on the public acts of public men. Mr. Brewster spoke to evidence, and with great personality against Mr. Jones. He accused him of seeking to drive the recorder from the representation of the Dublin University, and get elected for it

himself. A verdict against the defendant would, he emphatically said, ruin the recorder. Witnesses were called to prove that Mr. Jones made violent speeches against the recorder, and also as to the accounts being closed in the royal bank on account of Jones's violent language; but the evidence failed. The chief justice, in charging the jury, said, "he had seldom seen so large a statement with so little of actual proof given: the question of damages rested exclusively with the jury"—who, having retired for half an hour, returned with a verdict for the plaintiff, 300*l.* damages and 6*d.* costs.

5. NEW POSTAGE ACT.—The first step towards uniform penny postage dates from this day, when the change to the fourpenny rate came into operation. From statements published at the time, we find that the increase of letters posted in London on the day previous was 21,000, the number posted being 60,000; on the preceding Thursday 39,000. The defalcation in the revenue was for some weeks 500*l.* The daily increase of letters in the Metropolitan district after the 6th, over the previous average, is stated at from twenty-five to thirty per cent.; and the diminution of daily receipts about 450*l.*

6. ASSAULT—BONE *v.* DAVY.—In the Court of Queen's Bench, an action was brought to recover damages for losses and injuries sustained in consequence of an assault committed it is to be supposed as a *jest*, but of that coarse and brutal kind, for which we can hardly find terms sufficiently marking our disgust.

William Higgs examined—Is in the employ of Mr. Moore, a picture frame maker, who on the

second of February last, gave a supper to his workmen on the marriage of his daughter. The party was entertained at the Fishmongers' Arms, West-street, and Bone was an invited guest. When witness left, about one o'clock in the morning, he saw the plaintiff asleep in a chair near the table; there was no fire in the room, and the candle was full a yard from him. He had been asleep an hour or an hour and a half. After Moore's party retired, some strangers, among whom was the defendant, and Weston, the landlord, came into the room. Witness returned to the house in about an hour to fetch away a young man whom he understood to be intoxicated. On arriving at the door, some women asked him if he had come about the young man who was burnt to death. Witness did not know to what they referred, and went up stairs, where he found the plaintiff lying on a table; he had been burnt in the lower region of the body, and flour had been applied to the parts. Witness took him to the hospital. The party was large, and some of the guests got rather "fresh." Davy was in the room when witness first left the house. The plaintiff was drunk.

Thomas Weston landlord of the Fishmongers' Arms. Remembered being in the room about half an hour before he heard of the fire. The plaintiff was asleep. Davy and Fitzgerald were there also. Witness stayed only a few minutes in the room, and was followed by Davy and Fitzgerald in three or four minutes. They were taking some brandy and water at the bar, when an alarm of fire was given. Remembered an inspector of police calling upon the defend-

ant, after the mother of the plaintiff had complained, three months subsequent to the affair, of the manner in which her son had been treated. Witness spoke to Davy about it, and he replied — "O, parcel o' nonsense; you was in the room when I put the cigar to his shirt." Witness told him he did not see that; but that he saw Fitzgerald attempt to pull his shirt out, and stopped it, and said, "Let him alone, I'll get him out presently." The plaintiff had been very noisy. On hearing the alarm, witness went to the room and found the cook and other persons attending to the plaintiff, who that night had on his working dress, with his apron turned up and twisted round his waist. He was lying on the table; his clothes had been torn off, and his stomach was much burnt and inflamed. There was a candle burning at the other end of the room; that was for the purpose of lighting pipes. The room was lighted with gas. Did not think that Davy had been smoking or drinking. The plaintiff was very tipsy. Told the defendant's attorney, that he thought Mr. Davy did not set fire to the plaintiff: that no man in his senses could possibly do so. Did not say that the time was so short that he could not do it. Witness should say that the plaintiff could not have been set fire to by the candle unless some one put it to him. Fitzgerald was sober, I think. Davy afterwards denied making the remark before mentioned about the cigar.

Robert Muncester potboy to the last witness. When the party left the room Bone was asleep. Witnesses put out two candles, and left one burning. Weston, Davy, and

Fitzgerald were together in the room where Bone was asleep for half an hour, and they were all smoking cigars and drinking brandy and water. Davy entered the room with a half-burnt cigar in his mouth. Witness afterwards met Weston coming down stairs; he said the candles were all out, and witness turned back. Fitzgerald followed Weston in a few minutes, and Davy immediately afterwards. In about five or ten minutes witness went up and found the door shut. On opening it he discovered a great smoke, which made him cough very much, and compelled him to come out of the room. Saw Bone standing up near the chair in which he had been sleeping; he was holding his clothes, and cried out, "I am burning." There was a candle not burning. It was in the middle of the table, three yards from Bone. Witness called assistance, and several persons came quickly. The defendant came up some time after. The fire was extinguished by taking off his trousers, and trampling them on the floor. He had been trying to put it out with his hands. The trousers were made of fustian. His apron was not burnt; it was tied so tight that it prevented the fire from going higher. That part of the waistcoat below the apron was burnt. His trousers were unbuttoned.

Mr. Matthias, house surgeon of Charing-cross hospital, stated the nature of the injuries suffered by the plaintiff. The whole front of the belly, from the waist downwards, and the upper part of the left thigh, were severely burnt. Other parts of his person were also burnt, but not so seriously, nor were the injuries permanent

there. He remained until May, and left the hospital uncured.

A witness named Bates, who described himself as a surgeon, of George-street, Blackfriars, was next called, and stated that he had attended the plaintiff after he left the hospital, from June 1st to September 28th, and during all that time he took physic. Witness's charge amounted to 12*l.* odd. Sir F. Pollock addressed the jury for the defendant, but they returned a verdict for the plaintiff—damages 100*l.*

7. **PRESIDENT STEAM-SHIP.**—Several thousand persons went to Limehouse to view the immense steam-ship, the President, built by Messrs. Curling and Young, for the British and American Steam Navigation Company, and intended to run between New York and London. The President is of greater power and tonnage than the British Queen, (the former being of 600 horse power and 2,336 tons, the latter 500 horse power and 2,016 tons,) and was built in the same dock, and not upon a slip; so that she had to be floated out of dock, and not launched. At high tide, however, which happened to be a low tide, there was not enough of water to float her, and she remained fast aground aft. Mrs. Laird, wife of the African explorer and projector of the Atlantic navigation by great steam-ships, performed the ceremony of christening, amidst the cheers of the multitude on the banks and on the river. Many persons of distinction had been allowed to enter and inspect the vessel; and the christening over; free admission to the general multitude was announced.

Afterwards, a party of gentlemen, invited by the directors of

the company, dined at Lovegrove's; Mr. Bainbridge, M.P., in the chair. Several speeches were made by the chairman and other gentlemen.

On Monday the 9th, the water being sufficient, the President was floated into the river, and towed to Blackwall.

— **UNPROVOKED MURDER.**—An inquest was held at St. Helen's, Lancashire, on the body of Patrick Stakam, who came to his death under the following circumstances:—

It appeared from the evidence, that on Sunday, the 24th November, between nine and ten o'clock, the prisoners, George Murray and John Costello, and several other persons; were fighting, at Smithy Brow, near where the deceased resided. After the fight was over, Murray went to the door of the deceased's lodgings, and struck it with a stick or poker, which he had in his hand. He then went into the middle of the street, and struck a man with this stick or poker, saying, "D—n, you, why did you not come and help us?" The man replied, "What could I do?" At that time the prisoner Costello was shouting out something in Irish to Murray, when the latter went to him. Costello had then a potato fork in his hand. Evidently in concert with each other, and thirsting for blood, these two monsters mutually exchanged their weapons, Murray being by far the most powerful man. He had no sooner got the potato fork in his hand than he advanced upon the deceased, who in the mean time had come outside of the door of his lodgings, and with both his hands, upraised the potato fork, and struck the deceased a violent blow on the

head, fracturing his skull in a very violent manner. As deceased was falling Murray again struck him with the fork on the belly. At the moment Murray was striking, deceased said, "Don't strike me with that; to which the former replied, "I'm a Connaught man, you —; and — you, I'll knock your brains out." After the deceased fell, he only exclaimed, "I did not deserve that." He never spoke afterwards.

When Stakam lay on the ground, another man, named Philip Macguire, came out of the deceased's lodgings. Murray attacked him with the same brutal ferocity; and in all probability Macguire owed his life to the circumstance of his lifting up his arm to protect his head, and the consequence was, that the violence of the blow was received on his arm, or it might have proved as fatal in his case as it unfortunately proved to Stakam. During all this time the prisoner Costello was shouting fiercely to Murray, and, although he was speaking in Irish, the witness had not the slightest doubt, from his gestures and manner, that he was urging on and encouraging the other prisoner in his bloody work.

A surgeon was sent for, who attended the deceased; but the injuries received were too extensive to afford the most remote grounds of hoping for his recovery. He lingered until Friday morning, about four o'clock, when he died.

The jury gave a verdict of Wilful murder against both the prisoners, Murray and Costello, who were committed to take their trials at the next Liverpool assizes, when, it may perhaps be as well at once to mention, they were

found guilty and condemned to death.

LIBELS.—The court of queen's bench was occupied with the trial of two actions for libel, in which the proprietors of the *Age* newspaper were defendants. In the first case, Mr. John Patrick Somers was plaintiff; he complained of a series of libels published between the 18th February 1838 and the 7th April 1839. The principal part of the libels had reference to a petition against Mr. Somers's return for want of qualification, and insinuated that Mr. Somers had himself misrepresented and procured witnesses to over-estimate the value of the property whence his qualification was derived. It appeared, however, that the whole of the defendants were not registered proprietors of the *Age* till after the publication of these libels; so damages were claimed only for the publication of the following, which related to a difference that Somers had with colonel Gallois, a French gentleman, in Paris.

"In the *Post* of Friday we find the following—'We are authorized to state that an explanation has taken place between Mr. Somers, M.P., for Sligo, and colonel Gallois, to their mutual satisfaction.' We have reason to believe that this authorization came from a master Patrick Somers, through a medium he knows we understand as well as himself. The fact is, that colonel Gallois, who is one of the bravest fellows that ever honoured the profession of arms, chivalrously followed this man Somers to his own dunghill, and made the blustering 'tailer' kneel for protection and implore mercy. We hope Mr. Dillon Browne will benefit by the severe lesson his acquaintance-

S

ship with the peculiarly-qualified-for-Zero society Mr. J. Patrick Somers has taught him."

The attorney-general stated the case for the plaintiff, but called no witnesses to disprove the libels in the newspaper. Mr. Thesiger, for the defendants, admitted that there must be a verdict against him in point of law; though the smallest damages would, he contended, satisfy the justice of the case. Lord Denman said it would have been infinitely more satisfactory had the plaintiff produced evidence before the jury. The defendants not having availed themselves of the opportunity to prove the truth of their assertions, the verdict must be for the plaintiff, and the jury would fix the amount of damages. Verdict for the plaintiff, damages 50*l*.

The second case possessed no public interest. It arose out of a squabble on the pier at Margate. Holt, one of the defendants, had been fined a shilling by Mr. Chancellor, a Margate magistrate, for going upon the jetty when a steam-boat was leaving, contrary to the regulations of a local act. In revenge, a series of libels against Mr. Chancellor were published in the *Age*. Lord Denman said, that in this case he thought trifling damages would not be just; and the jury gave the plaintiff 100*l*.

7. TRIAL AT PARIS. THE PROCUREUR DU ROI *v.* GIACOSA.—A case of swindling, which excited much interest among the English residing at Paris, came on in the Court of Correctional Police. The accused, Fernando Giacosa, an *employé* (we give the French phrase) in the stables of the present king of the French (when duke of Orleans) was indicted at the instance of an English lady, Miss Ann Samler, for swindling

(*escroquerie*) and breach of promise of marriage. The prisoner was introduced by the municipal guard, and placed in the dock. He was a tall, handsome young fellow, wore a bushy pair of mustachios, and a long beard. Miss Samler, the plaintiff, a lady apparently between thirty five and forty, took her seat next to her counsel, M. Ledru Rollin.

The first witness examined said that he had known Giacosa since 1830, when he met him on his return from the attack on the Tuilleries on the 29th of July. The prisoner escorted with several others a quantity of plate, taken out of the palace, which the people brought to the Bourse. Witness lost sight of the defendant afterwards, but had heard that he had worked as a painter. He had also been told of his having worn the decoration of the legion of honour without authorization: this he attributed to his natural levity. Witness met him a year ago, when he asked him for a certificate of what he knew of his conduct on the 29th of July, 1830. He applied to several persons to procure a situation for Giacosa, who was then in great distress; he had pity on him, and received from an English lord various sums, which he gave him or paid to his creditors.

Several other witnesses were called, who said they could give no information respecting Giacosa's means of existence. He was intimate with a baroness de Lamers, with whom he went to reside. A witness at whose house they had lodged together said, that an English lady sometimes called to see Giacosa, and that the baroness then concealed herself in a back room. Another witness, a jewel-

ler, saw the prisoner at a reading-room in the Passage de Lorme, belonging to the baroness de Lamers. The baroness kept besides a pastrycook's shop opposite. The witness called with a bill of 260 francs, which the prisoner, who was then in the reading-room, paid him. Giacosa had spread before him on the table a large sum in gold, and witness cautioned him against exposing so much gold to view in a public place.

The sixth witness, a milliner, deposed that Giacosa came to her shop to purchase a velvet shawl for 160*fr.*, in the name of the countess d'Osmond. She herself brought the shawl, and meeting in the apartment a lady, whom she took to be the countess d'Osmond, she left it, without requiring payment. A few days afterwards she called again, and was told by a little boy that his mother would call and pay her.

The baroness de Lamers was next introduced; her appearance was rather prepossessing. She had been at first arrested, and was to be tried as the accomplice of Giacosa, but there being insufficient proof to criminate her, the instructing judge had inclined to indulgence. She said she was a German by birth, and had lost her husband before she became acquainted with Giacosa. The latter had been presented to her by a Russian nobleman. She left her country to follow him to France, where she knew that with her confined income she could give her children a better education than in Germany. Previous to her departure she had converted all her fortune into money, and when she left Ments she had between 25,000*fr.* and 30,000*fr.*, which she unfortunately placed in the hands

of Giacosa, who dissipated them at the gaming table. Being thus deprived of all means of existence, she was reduced to keep a circulating library. Her intention had been to marry the prisoner, but she had had doubts respecting his constancy, and wished to put it to the test. She knew that he was paying his addresses to an Englishwoman, Miss Samler, who paid many of his debts, and, amongst others, a sum of 6,000*fr.* which Giacosa had given witness on account of what he owed to her.

The milliner, confronted with the baroness, identified her as the alleged countess d'Osmond, to whom she delivered the shawl. Witness and Giacosa both denied this fact, but the milliner gave such precise evidence, that the tribunal was convinced of her veracity. The baroness then admitted that Miss Samler often called on Giacosa at her lodgings. Miss Samler she said, was determined on marrying him at any price, even if he were a mere vagrant, and of setting out with him for Italy. She promised to pay the baroness what Giacosa owed her. The daughter of witness married an English physician (Dr. M'Kay.)

Miss Samler was then called forward, and deposed that in May last she had promised to pay baroness de Lamers 6,000*fr.*, which Giacosa told her was a debt of honour. The baroness threatened to put him into prison if he did not pay her, and that was the reason why she had undertaken to discharge the debt. The doctor was present at the interview, and told Miss Samler, that the defendant was at that time his patient, but that his illness proceeded from his violent passion for her. Giacosa

nassured her that the baroness was a rich lady, who had an equipage, a chateau, &c., but that she need not be jealous of her, as he could not abide her.

Giacosa here rose, and stated, that if he was so anxious to procure the 6,000*l.* at the time, it was because the doctor, who was going to settle in England, required it for his journey and to defray the first expences of his establishment.

The proprietress of the milliner's shop in which the velvet shawl had been ordered by Giacosa, confirmed the evidence of the sixth witness. She had distinctly heard him order the shawl in the name of the countess d'Osmond. Some months after, being in want of money, she had sent her bill to Giacosa, with a request to pay her the amount or return the shawl. Giacosa wrote to her a letter by a young boy, promising to call, but did not return the shawl. He subsequently came to her shop, and behaved towards her and her companion in the most outrageous manner, threatening the latter to strike her, because she had met the baroness de Lamers and asked her for her address. Giacosa repeated the same scene at the office of the commissary of police.

A young Englishman, summoned at the request of Giacosa, said that he heard of the intention of Miss Samler to marry him. He often saw them together, and knew of her having advanced large sums of money to pay his debts.

The prisoner admitted having received from Miss Samler 6,000*l.* to pay the baroness de Lamers, and two sums of 10,000*l.* shortly afterwards, besides various other sums, of which he could not exactly remember the amount. He

had paid the baroness, and sent 7,000*l.* to a gentleman in Bristol, from whom he had borrowed it, and paid with the rest of the first 10,000*l.* a number of debts; of the last 10,000*l.* he could give no satisfactory account. He never considered that advance in any other light than a debt. The counsel for the plaintiff and defendant were heard at much length, after which the presiding magistrate delivered the judgment of the court in the following terms:—

“Considering that the evidence has convicted Giacosa of having been guilty of swindling, to the prejudice of Mademoiselle Lenormand, a milliner, that it is equally obvious that he resorted to fraudulent manoeuvres to swindle a portion of the fortune of Miss Samler, the tribunal sentences him to fifteen months imprisonment and 100 francs fine. As respects the claim of the civil party, considering that Miss Samler has reduced it to 20,000*l.*, the tribunal condemns Giacosa to refund her that sum, and fixes at three years the period, during which he shall remain liable to imprisonment for the payment of that sum.”

7. **THE WEATHER.**—The weather in the North of England, for the most part, was extremely wet and unfavourable at the commencement of this month, and the crops, a considerable portion of which were still out, sustained extensive injury; in fact, in the very late districts some quantity of wheat remaining in the fields became worth little or nothing.

8. **SWINDLING TRANSACTION.**—Thomas Shelford, a portly, respectable looking man, about fifty years of age, was brought up at Hatton Garden, charged by Mr. Patrick M'Cowell, of 6, Alfred

Place, Bedford Square, Bloomsbury, with having defrauded him of 50*l*.

The prosecutor stated that he was clerk to Mr. Domingo Pare Brouego, proprietor of the Cosmorama, 209, Regent Street. On the 25th of September previous, witness saw an advertisement in the *Morning Herald* newspaper, stating that for a douceur the advertiser would procure a situation for a young man who could write a good plain hand, which would bring him in a salary of 200*l*. per year, with a house rent free, and coals and candles. Parties were to apply to Mr. Barlow, No. 23, Alfred Street, Bedford Square. Witness called there, and found five persons waiting in the passage. After remaining about an hour and a half his turn came, and he went up stairs to the drawing-room, where he found the prisoner seated at a large table. Witness informed him he had called respecting a situation which was advertised in the *Morning Herald*. He requested to know witness's condition, and asked whether he was in a situation. He replied that he was. The prisoner said, "Well, sir, you know the terms of the advertisement, are you prepared with 50*l*.?" Witness replied that he was, if he (the prisoner) would satisfy him that he could obtain for him the situation. The prisoner then said, "Now, sir, don't deceive yourself or me. Have you the money ready, or will you have to go from friend to friend to borrow it? For in that case there might be some danger of the thing being talked of—a man may be your friend to-day and your enemy to-morrow. In such cases strict secrecy should be observed by both parties—you

ought not even to tell your own wife." Witness said that he could have the money at any time. The prisoner then said, "in this stage of the proceeding I am not at liberty to tell you on what railroad the situation is. I will only say that it is one of the best in the country, and you may guess which it is;" and he inquired of witness whether he had any objection to go out of town, as the situation would beat a station in the country, to take the money received from the passengers and forward it to London. The prisoner then required two references as to his character, which the witness gave. The prisoner told him that he had only seen one person before him that morning that would be likely to suit, but if witness paid him he would have no person present as a witness, and he would give no receipt. He had the interest of a director, and the party he recommended would obtain the appointment, and if he (witness) was selected, he should hear from him on the Friday or Saturday morning. On the Saturday following the prisoner called at witness's house, and said, "I am happy, sir, to say that I have procured you the appointment, but you omitted to give me your christian name in full, and the name of the parish you reside in. Witness wrote them down, and the prisoner inquired whether he was prepared with the 50*l*.? Witness replied in the affirmative; but said that before he paid it he should expect to be introduced to the directors and secretary, or some other party connected with the railroad. The prisoner said, "Oh, sir, if you doubt me there is an end of the matter: I can fill up the situation not 100 yards off. You are not aware how these mat-

ters are arranged. In government offices, for instance, a man frequently procures a situation without knowing by whom it is obtained, the same as at the India House, where they are only sworn to perform certain duties." He said he would give him a printed document signed by four directors, and countersigned by an eminent banker, and he should have the document filled up that day or the following morning. He subsequently called at witness's house, and produced a printed document purporting to be his appointment to the situation on the Birmingham Railroad; he inquired whether witness would have any objection to live at Birmingham, as he would be at that station, and asked again whether he was prepared with the 50*l.* Witness conceiving it to be all right, as the document bore a formal appearance, being apparently regularly signed, &c., proceeded down stairs and returned with a 50*l.* note, which he handed over to the prisoner, who appointed to meet him on the following morning at the Euston-square station to go with him to Birmingham to introduce him to the station, whither he was to go free of expense. The document purporting to be the appointment, had sir Richard Carr Glyn's name attached to it. Witness proceeded to the Birmingham Railway, Euston Square, with the spurious appointment, on the same day that he received it, and showed it to one of the principal clerks. He was told that it was a forgery, and that he had been swindled out of his money. Witness immediately stopped payment of the note at the Bank, and afterwards received information that it had been paid in. He had been

searching after the prisoner ever since, and, at last, accidentally met him in Holborn, and gave him into custody. Further evidence being necessary the prisoner was remanded, and on being again brought forward, various other charges of the same nature were brought forward against him, and an accomplice named Rickerby, who was also taken into custody. Both were committed to Newgate to take their trial.—It appeared that the prisoner had before been prosecuted for deserting his wife and family; and subsequent to the murder and suicide committed by Steinbergh, the German, a few years since, he took the house in Southampton-street, Pentonville-road, and exhibited representations of the murdered persons in wax-work, until the inhabitants and the parish officers interfered and put down the spectacle as a nuisance.

8. POST-OFFICE DESPATCH.—An amusing incident occurred at Windsor this evening. A carriage and four drove up to the castle, and out stepped a personage attired like a foreigner of distinction on his travels—with a foraging-cap, a boa round his neck, and furred gloves. He announced himself as the bearer of important despatches, which must be delivered immediately into the queen's own hand. Her majesty, on receiving a communication to this effect, sent orders to the foreign gentleman to deliver up his packets. This he sturdily refused. An officer of the household was deputed to obtain the documents, with no better success. Colonel Grey, equerry in waiting, went on the same errand; but was assured that the queen's autographical command would alone

procure the precious deposit. An inspector of police, stationed at the castle, then received orders to convey the furred gentleman to the station-house. There he displayed some newspapers addressed to the queen, with a foreign post-mark; declaring that he could not consistently with the oath he had taken, deliver them up without the queen's command in her own handwriting. Persuasion being useless, the papers and letters were taken from the man by force.

It turned out that this mysterious personage was a Mr. Saunders, a clerk in the post-office, St. Martin's-le-grand! The same morning, being Sunday, after the usual despatch had been forwarded to Windsor, it was discovered that one packet had been left behind; the clerks were told by their superior, that they must bear among themselves the expense of sending the packet to Windsor: Saunders said he was going past Buckingham palace, and would see whether it could not be forwarded thence to the queen; but instead of this, he preferred making the ridiculous expedition to Windsor, in the hope of obtaining an interview with royalty.

After passing Sunday night in the station-house, Saunders was taken in custody to London, and for a time suspended from his employment at the post-office.

8. RIOTING AT CAMBRIDGE.—Some tumultuous and not very creditable proceedings were reported as having taken place at this university. About nine o'clock in the evening, the inhabitants of Trumpington-street, the King's-parade, and Trinity-street, were, it is said, interrupted by the yells and howlings of about one thousand of the under-graduates, who

had determined to link themselves to insult and to hoot the proctors upon duty for doing justice to one of their body, whom they had discovered in a state of intoxication, and who had otherwise committed himself in a most disgraceful manner. They therefore congregated in great numbers, and assailed the proctors from one end of the street to the other, making use of the most violent language, and hallowing to the very top of their voices. The inhabitants had, in many instances, but just returned from their respective places of worship. The police, during the whole period, were walking about with the greatest unconcern; it not being lawful for them to interfere with the under-graduates of the university, who have their own discipline and their own officers.

FRAUDS ON THE PARIS ENGLISH BENEVOLENT SOCIETY.—A trial came on before the French courts, in which Mr. MacLoughlin, an English physician, was plaintiff, and a Mr. Hardern, a professor of English, was defendant.

It appeared that the British committee in Paris for the relief of British subjects had been applied to by Mr. Hardern, his wife being dangerously ill, suffering from a complication of cancer, dropsy, inflammation, and stone. The committee immediately requested Dr. MacLoughlin, one of its quarterly physicians, to proceed to Mr. Hardern's, that proper assistance might be given. On examination the doctor ascertained that the patient was suffering neither from inflammation nor stone, and begged Dr. Moreau, a celebrated French accoucheur, to visit her respecting the alleged cancer, and another French physi-

cian was also requested to examine whether she was afflicted with stone or not. These gentlemen, being convinced that these afflictions were feigned, stated their opinions to Dr. Macloughlin.

Mrs. Hardern had also pretended that she frequently vomited blood; and to make her tale appear more plausible, she had produced some chicken blood, which she endeavoured to palm on the doctor as her own. Dr. Macloughlin, indignant at this conduct, reported it to the committee.

Three weeks after, the doctor was shown by one of his patients a letter the defendant had written against him. This letter contained a certificate from Dr. Cruvelhier, a professor belonging to the Ecole de Medicine, stating that his wife was afflicted with dropsy. Dr. Macloughlin, thinking that this certificate had not been given by Dr. Cruvelhier, called again on Mrs. Hardern, and found a Catholic priest administering religious consolation. Mr. Hardern then observed that his wife had only complained of paralysis, which was so evident that needles might be thrust into her flesh without her feeling them. The doctor, however, ascertained by tickling the lady, that she was no more afflicted with paralysis than he was, and he accordingly reported this conduct to the committee, and his doing so occasioned the defendant to write a very violent letter.

Upon this Dr. Macloughlin called on Dr. Cruvelhier, and ascertained from him that he had not strictly examined the lady, and that he had given the certificate on account of the miserable situation she seemed to be in. Dr. Cruvelhier, at the request of

Dr. Macloughlin, again visited Mrs. Hardern, and then stated that she was paralytic. The committee, considering itself deceived, complained to the procureur du roi, and withdrew its charitable relief from the defendant, who, thinking himself aggrieved, and considering Dr. Macloughlin to be the cause, sent that gentleman a challenge, which, of course, was not accepted; and he went so far as to give the doctor a blow the first time he met him. For this assault he was arrested and kept two days in prison. After this, in order to avenge himself on the doctor, he sent several defamatory letters to the English residents, and even posted placards containing reflections highly injurious to his honour.

The defendant, to exonerate himself, endeavoured to prove that the accusation proceeded entirely from religious intolerance—his wife being a Roman catholic. He said she had been offered fifty francs a-day to become a protestant.

It was, however, ascertained that no distinction whatever was made with respect to religious creeds by the committee in its benevolent pursuits.

As Dr. Macloughlin did not seek damages, the court, showed its clemency by sentencing the defendant to fifteen days' imprisonment, and ordered its judgment to be inserted in three papers, at the option of the plaintiff.

10. MURDER IN FRANCE.—At the court of assizes of Seine et Oise, a young workman, named Picot, was charged with having attempted to murder two children, whom he had never before seen,

no motive for the act being found, except that it proceeded from the aberrations of a state of drunkenness.

It appeared that on Sunday, the 28th of July last, two brothers, named Peron, one aged eight, the other four years, who resided at Thormes, were proceeding along the bank of the river, when they met an individual, apparently in liquor, who asked them whither they were going. After having struck the eldest, and knocked him down, he seized the youngest and threw him on to the very edge of the bank, pushing the eldest after him. He then again caught hold of the youngest, and threw him into the water. Seeing that the eldest was crying, he threw him in also, saying, "I am going to see if you can swim." The eldest got out of the river with great difficulty, but the youngest, whom his brother had vainly endeavoured to save, soon disappeared, and was dead when his body was found.

A youth, named Hervey, who was fishing at some distance, saw the two children thrown in, and immediately told two persons of the circumstance. He returned with them to the spot where the crime had been committed, when they found Alfred Peron, who had just got out of the water. They set off in pursuit of the culprit, and Hyppolite Picot was taken.

He denied the facts imputed to him, but the mayor of the commune having sent for Alfred Peron, the child pointed out Picot, although he was surrounded by several persons; and he was also recognised by young Hervey. Picot, nevertheless, persisted in his denial, pretending that he never took the road along the river side, but the contrary had

been established by the examination.

In support of the charge twelve witnesses were heard, many of whom deposed that they had seen Picot commit the crime, and recognised him perfectly.

The counsel for the accused did not attempt to contradict the facts, but tried to prove that the accused was affected with insanity.

Picot was condemned to twenty years' hard labour and to public exposure. He left the court without exhibiting the slightest emotion.

— AFFAIR OF HONOUR.—Lord George Loftus and lord Harley fought a duel at Boulogne. Shots were exchanged, without effect; and the parties returned to Dover on the evening of the same day. The affair originated in certain expressions used by lord George towards lord Harley, on occasion of lord Harley's presenting himself to the notice of lord George Loftus, and claiming an acquaintance, of which lord George had no recollection whatever. Lord Harley stated that his introduction to lord George Loftus had been at the instance of his brother, lord Loftus; and on the faith of this statement lord George's second retracted in his name the expressions in question.

— OPENING OF THE SPECIAL COMMISSION, MONMOUTH.—The judges, appointed to preside at the state trials in South Wales, arrived at Monmouth this evening. The next day they attended divine service, and opened the commission. Three hundred and fifteen special jurors had been summoned; and twenty-four gentlemen of station and property were sworn in as the grand jury—Lord Granville Somerset being elected foreman.

There were thirty-eight prisoners for trial. The judges appointed, were chief justice Tindal of the common pleas, sir John Williams of the queen's bench, sir James Parke of the exchequer, and Mr. sergeant Ludlow. Chief justice Tindal in charging the grand jury, briefly stated the extraordinary circumstances under which the commission had been issued, and then expounded and accurately defined the law of high treason; the disturbances in Monmouthshire being of such a character as to render it extremely probable that indictments for high treason would be preferred against some of the parties supposed to have been implicated in those disturbances. The learned chief justice was also careful to state the peculiar advantages which persons accused of high treason were entitled to.

True bills for high treason were found against John Frost and thirteen others; and the court was adjourned to the 31st of December. Great exertions had been made by their party to secure to the accused the benefit of able counsel, and sir Frederick Pollock and Mr. Fitzroy Kelly were two out of the four retained for the defence.

11. HOMŒOPATHY.—A coroner's jury assembled at the George, Beech-street, Barbican, to inquire into the circumstances of the death of Mrs. Emily Norrington, aged twenty-six, wife of a scalemaker in Fan-street. Mrs. Norrington had been attended by Dr. Epps, who treated her on the homœopathic system; and the point on which the inquiry chiefly turned was, whether this treatment was judicious in the case of a person labouring under fever from a pressure on the brain, caused or co-

existing with excessive constipation—the bowels having been relieved only once or twice during eleven days. The nurses and two surgeons were of opinion that active purging medicine should have been used. One of the surgeons said that the opium pills which doctor Epps gave, and which were the size of a small pin's head, could do neither harm nor good. Dr. Epps stoutly defended the homœopathic system, to which he had become a convert, and declared that he would have treated his own wife in the same way as the deceased. The verdict brought in by the jury was, "That the deceased died from an effusion on the brain, and that her death was accelerated by improper treatment."

— LUNACY.—A commission of lunacy was held before doctor Phillimore, at the Cadogan hotel, Sloane-street, to inquire into the state of mind of Mr. Robert Henry Pearce, late of Blacklands-house, Chelsea. Mr. Samuel Charles Whitbread, a friend of Mr. Pearce, gave proof of his aberration of intellect.

He had been acquainted with Mr. Pearce for a number of years; in 1836 he observed that there was an alteration in his conduct—one day he would join in the sports of the field and mix with society, and the next he would shut himself up and refuse to see anybody. The first thing he more particularly observed was about January 1837, when Mr. Pearce lighted a fire in the front of his house, in the garden. From that period it became necessary, for his own safety, that he should be watched; and when he could be induced to spend his evenings with witness, he would frequently complain of seeing two kites flying in the air with lanterns attached to

them. He accused Mr. Whitbread and others of robbing him, and fancied that he was conversing with persons when he was alone and talking to himself.

Dr. Sutherland gave similar evidence; and the jury returned a verdict that Mr. Pearce had been of unsound mind since the 27th of March 1837.

— INGRAM v. LAWSON.— The court of Common Pleas tried an action brought by Mr. Ingram, commander of the *Larkins* East Indiaman, against the publisher of the *Times*. On the 31st October 1837, a letter appeared in the *Times* describing the *Larkins* to be in an unseaworthy state, requiring additional hands from the Cape on her last voyage from India to keep her afloat by pumping. It was also said, that she had been bought by the Jews to carry out convicts. It was proved that the *Larkins* was in a perfectly seaworthy condition; that she had good accommodation for passengers; and that after the publication of the libel the number of passengers, usually from twenty to twenty-five, had been reduced to eleven out and seven home. Under the direction of Mr. Justice Maule, the jury found a verdict for the plaintiff, with 900*l.* damages.

— CHURCH OF SCOTLAND.— The commission of the general assembly of the church of Scotland met, after adjournment, on this day; when a question essentially the same as that involved in the famous Auchterarder case was brought forward. To make the proceedings of the commission intelligible, it is necessary to mention, that in 1837, a presentation of the rev. Mr. Edwards to the living of Marnoch had been sus-

tained by the presbytery of Strathbogie; that in 1838, the general assembly determined to enforce the veto law, and "remitted" to the presbytery to reject Mr. Edwards; that in 1839, the general assembly again expressly enjoined the presbytery not to take any steps towards admitting Mr. Edwards; and that, nevertheless, the presbytery, preferring to obey the decision of the court of session and of the House of Lords, as given in the Auchterarder case, had admitted Mr. Edwards to the living of Marnoch, by a majority of 7 to 4.

Mr. Candlish, after stating the facts at length, submitted a motion to the assembly "to suspend the seven ministers forming the majority, from the exercise of any of their functions, and to authorize the remanent and unsuspended members to "repose" any of their suspended brethren, who should compare personally and subscribe an assurance that they will submit themselves to the judications of the church in this and in all other matters, but not otherwise;" and in the meanwhile, to procure a supply of stated ministerial services for the parishes under the care of the suspended clergymen.

The motion was supported by the lord provost of Glasgow, Dr. Brown of Aberdeen, Dr. Burns of Paisley, and Dr. Chalmers. It was opposed by Dr. Lee and Dr. Bryce, the latter of whom moved an amendment—that the commission approve of the conduct of the presbytery, and refer the matter to the next general assembly.

Another amendment was proposed by Dr. Muir, postponing all proceedings to the meeting of the general assembly.

It was decided, by a vote of 15 to 9, that the question should be taken on Dr. Muir's motion, and Mr. Candlish's; when there appeared—For Dr. Muir's 14; for Mr. Candlish's 121.

The announcement of numbers was received with loud cheers and clapping of hands by persons in the body and in the galleries of the Tolbooth church, where the commission sat.

Protests against the decision were presented on behalf of the Strathbogie presbytery, and by six members of the assembly; also by the agent of the presbytery—the latter declaring that each and all of the parties accessory to the vote just recorded, should be held liable for the damage inflicted on the suspended ministers, by proceedings "arbitrary, illegal, oppressive, and in evident contempt of the law of the land."

It was agreed, on Mr. Dunlop's motion, that this protest should be received, but that the parties to it should be cited to appear before the next general assembly, to answer for "a gross contempt to the supreme court."

14. **AFFAIRS OF THE MARQUESS OF HUNTLEY.**—In the lord mayor's court, Patterson, manager of the North Scotland Banking Company appeared as plaintiff; the marquess of Huntley as defendant; Majoribanks and Co., garnishees.

The defendant sought to set aside the proceedings in this attachment on the ground that, being a peer of the United Kingdom, he was privileged from being sued in an inferior court, and consequently an attachment against his effects, in order to compel his appearance, could not be supported, and ought to be set aside.

The recorder delivered judgment. "If," said his lordship, "I felt any doubt on the point raised in this case, I should not decide upon the motion, but should leave the marquess to raise the question of privilege." His lordship then took a review of the different cases which had been cited, and dwelt particularly on that of lord Mountjoy, reported in Leonard, 209, as showing that the rule ought to be discharged. It appeared to him that the privilege of peers was founded on the supposition that a peer, by reason of his dignity, had ample goods for the satisfaction of his debts. By being subject to attachment a peer was not necessarily restrained in his person, but it was the only means of compelling him to appear to the process of the court. The distinction between that process and that of arrest had been frequently recognized. An attorney was not subject to arrest, but his goods might be attached. A party who had been once arrested could not be arrested again for the same debt, although his goods had been attached. A peer of the realm could not be arrested, but his goods could be attached.

15. **NEW CONVENT AT DOCK-HEAD, BERMONDSEY.**—The ceremonial of the professions of six of the admirable order of the "Sisters of Mercy" now, we believe, established for the first time in this country, took place on this day, at the Catholic chapel in Bermondsey, recently erected by subscription, from the designs of Mr. Pugin. High mass was celebrated at eleven o'clock, at which the right rev. Dr. Griffiths assisted; the novices were then introduced, and, after the usual preliminaries, a sermon was preached by the rev. Dr. Maguire,

and a collection made towards the funds of the convent. When the sermon was concluded the "profession" took place, the novices, attired in the plenitude of worldly ornament, repeating the accustomed formula, whereby they renounced the world, and dedicated themselves to works of charity. This ceremony over, they retired, and assumed the sober garb of Sisters of Mercy, and the service, consisting of antiphonies and prayers, was concluded. The assemblage of spectators was numerous, and the collection apparently a very good one. Amongst the nuns who were clothed, was lady Barbara Eyre (second sister of Francis, earl of Newburgh), who had been a liberal benefactress to the chapel and convent, and who took the vows under the name of "Sister Mary."

16. FALL FROM SUNDERLAND-BRIDGE.—This afternoon, at about four o'clock, as a sailor, named John Barnett, was engaged painting the metal works of the stupendous bridge in the above named town, the plank on which he was standing slipped at one end from its resting place, and the poor fellow was precipitated into the Wear. He caught hold of one of the transverse ribs of the arch for a moment, but could not retain his grasp. He remained a considerable time under water, but eventually appeared at the surface, and being a good swimmer, made towards a sloop lying at the north side of the river, the crew of which ship put off a boat, took him up, and landed him at Fenwick's-quay, when, to the surprise of all, he ran up the bank, jumped over a wall, and went to the bridge, for the purpose of locking up his working utensils, though he had

fallen from a height of upwards of ninety feet. So little worse was the man, that he walked home as if nothing had happened, complaining merely of a little stiffness in his back. The man stated that the effect produced upon his imagination, when he dashed into the water, was as if he had fallen into a flame of fire; and that he felt the descent so long, that he thought he should never arrive at the bottom.

16. EXECUTION. — The execution of William Lees, convicted at the previous session of the criminal court, of murdering his wife in a fit of drunken phrensy, took place at the Old Bailey. There was an immense crowd of persons in the street fronting the scaffold, many of whom had secured standing room as early as three o'clock in the morning. There were the usual scenes of intoxication among the crowd, increased by many noted thieves. An attempt had been made to prove the murderer insane, but apparently upon slight and insufficient grounds. He fully confessed his guilt, and recounted the particulars of the crime. He knocked his wife down, cut her throat with a razor, and then battered her head with a poker which she had seized to strike him with. Letters, written by Lees shortly before his execution, expressing penitence and confidence in an immediate translation to everlasting happiness in heaven, were published in the newspapers, and hawked about in the streets. The propriety of inducing or encouraging such a state of mind in persons in the position of the wretched individual in question, may surely be questioned, and the ill effect of the publication of it,

with regard to others, must we think be sufficiently obvious.

17. **SALE AT MESSRS. HANSARD.** — Numbers of people proceeded to the premises of Messrs. Hansard, in Whetstone Park, Lincoln's Inn Fields, in expectation that the sale of a portion of their property, which had been advertised for nearly a fortnight, for the liquidation of the damages given in the action for libel brought by Mr. Stockdale against Messrs. Hansard, as printers for the house of commons, would take place at twelve o'clock. But on their arrival there, they found that matters had been arranged, and that no sale was to take place. It appears, that the money—the amount of the damages which had been lately awarded by the jury empannelled at the sheriff's court, was quietly paid into the sheriff's office the night before about nine o'clock, no questions being asked. An intimation of this fact was immediately sent to the auctioneer, with directions to recall the notice of sale. It was asserted, that the under sheriff was ignorant of the party who paid in the money.

18. **FELONY.** — In the New Court, Carolus Aviôt a Frenchman, was indicted for stealing a watch and appendages, of the value of fourteen guineas and upwards, the property of Charlotte Campbell, on the 16th of November previous. the prisoner accompanied his plea of not guilty with an asseveration that he was afflicted with deafness. At his request, a panel of half English and half French gentlemen were sworn.

The prosecutrix Charlotte Campbell having been called, a gold watch, with a guard chain and

key appended, was laid before her, which she claimed as her property.

The prisoner's attention having been directed to the witness, he solemnly declared, that he had never seen her until she became his accuser.

She deposed that she bought the watch at Mr. Hawley's, in the Strand, several months ago. That she met the prisoner casually in Leicester-square, and that in consequence of a signal he made she led the way, and he followed her to a house in St. Martin-street, and they went up stairs together, and remained for more than twenty minutes. After further particulars had been stated, the witness was subjected to a rigid examination at the instance of the prisoner. She admitted that he said but little, but he said "yes," "no," and "very well," in English; and apparently he understood the questions which induced these replies. The meeting in the square was accidental, and, as her watch was concealed under her shawl, the prisoner could not have seen it; when they went up stairs she put it on the table. The prisoner gave her gold coin, but she would not say of what denomination or amount. She missed the watch soon after he left, but the state of her dress would not admit of her following him. She gave immediate information at Scotland-yard, and at the shop of Mr. Hawley, and gave the best description she was able of the prisoner.

It appeared from the evidence of Mr. Sheppard, conducting the business of Mr. Hawley, goldsmith and watchmaker in the Strand, that the prisoner came to the shop on the 12th of December,

and offered to sell him the watch produced for twelve guineas. Witness saw that it was made by his employer, and upon turning to a book he found that it had been sold to a lady about three weeks previous, and that she had subsequently given notice of its having been stolen from her. Witness then questioned the prisoner as to his possession of the watch, when he said, in tolerable English, that he bought it from a man in the street, who sold razors, and who pestered him so much, that at length he consented to give him 6*l.* for it. Witness thinking this statement very improbable, called a police-constable, and gave him in charge. The prisoner did not appear to be at all deaf.

However this might be, the deafness whether real or affected of the prisoner when on his trial, together with the want of knowledge of the English language on the part of the accused's interpreter, tended to involve the court in great perplexity. There was fortunately one barrister in court, named Huddleston, who happened to be conversant with the French language, and, at the request of the recorder, he undertook to communicate with the prisoner, and interpret and translate his defence. It was owing to this gentleman, that the trial terminated before the lapse of the tenth hour.

The prisoner was called upon for his defence after midnight. He wrote it down as he had previously done his observations, with amazing rapidity, Mr. Huddleston read it to the jury in both languages. The prisoner commenced by stating, that he was brother-in-law of M. Hebert, deputy for the department of the Loire, in the French parliament,

Chevalier of the Legion of Honour, and Advocate-General to the Court of Cassation. The object of his journey to England was to embark with his wife for the United States, where he was possessed of 3,341 acres of land in Virginia. During the last two months he said he had resided in London, and lived there with the most rigid economy, never leaving his wife, and never even entering a place of entertainment. Of the manner in which he became possessed of the watch he gave the following account:—"Gentlemen, my wife's cousin was detained in Guernsey in consequence of some money transactions, and she was anxiously expected by us, day after day, for six weeks. Every Thursday, every Sunday, found me at the place where the packet-boat from Rotterdam lands her passengers. On Sunday, about three weeks ago, being, as usual, at the Custom-house awaiting the boat, I was accosted by a man who first of all showed me two razors, and after having in vain followed me, in the hope of persuading me to purchase them of him, he went away. The boat arrived; my cousin, alas! was not a passenger in it. I left the Custom-house. Again I was addressed by the same individual, who had in one hand the razors and in the other a chain; he followed, but my only answer was 'No.' At last he drew forth this watch: struck by its beauty, I asked, 'how much?' He lifted up both his hands, and I answered 'five,' and directed his attention to a piece of money I had in my hand. The offer and acceptance of the money I offered were the work of an instant. The celerity of his movements and the violence of his action induced me to think

I had been duped. The examination of the watch, however, convinced me of the contrary, and then indeed the idea that it was the result of a theft rushed upon my mind. However, strong in my own honesty and relying upon my own credit, I kept the watch three weeks." The prisoner proceeded to urge the improbability (supposing he had stolen the watch) of his offering it for sale at the shop of the maker, his name being over the door. He also dwelt strongly on the impossibility of a person like the prosecutrix identifying, after several weeks, a man with whom she had been in company for only a few minutes. His address was forcible and eloquent, and made an evident impression upon the persons present; nevertheless the jury, having retired for an hour, at half-past two in the morning, pronounced the prisoner *guilty*, accompanied with an appeal for mercy. On being apprized of the verdict, the prisoner became phrenzied, and solemnly protested his innocence before God and man. The unhappy man was called up for judgment at the next sessions, and sentenced to transportation for seven years.—We may here mention that he made several attempts to drown himself when being embarked in the ship which was to convey him to his destination. The night before she sailed, however, an order arrived from the Home-office for his detention in England, so that some mitigation of his sentence was anticipated; though, at the time we write, it has not been announced.

21. OPIUM EATING IN ENGLAND.—The increased consumption of opium was the subject of discussion at a meeting of the

Westminster Medical Society this day. Dr. J. Johnson stated, from his own personal knowledge, that opium eating had increased in this country to such an extent as to have become nearly equal in its proportion with tea-totalism. Indeed, the subject had called forth the particular attention of the different insurance-offices, who were about to hold a meeting, in consequence of their having discovered that they had sustained considerable loss from, as well as that a new risk had been created by, the enormous increase of the consumption of opium. In future policies, of course, the risk could be provided for by the charge of an additional premium; but as such a course of chance had not been anticipated on policies already effected, the matter had assumed a somewhat serious aspect. Several gentlemen bore testimony to the fatal results to which the practice invariably led.

— CONDUCT OF THE BIRMINGHAM MAGISTRATES.—An investigation into the conduct of the magistrates of Birmingham on occasion of the late riots in that town, having, at their own request, been entered into, and having terminated in their complete exoneration from the charge of negligence made against them, the following letter was addressed to Mr. Scholefield, late mayor, by the marquess of Normanby.

Whitehall, Dec. 20th, 1839.

"Gentlemen,—I have the honour to inform you, that having considered the evidence adduced on the late inquiry at Birmingham, into the conduct of the magistrates, on the occasion of the outrages which took place on the 15th of July last, I do not perceive any sufficient ground to impute

either to the mayor or the other magistrates any wilful neglect of duty.

"I am of opinion that it would have been more prudent if the magistrates, instead of ordering the police not to act in their absence, had made arrangements for the constant attendance of one at least of their body at the public office; and, although the magistrates might have supposed that by the directions left there, they had provided for immediate attendance in case of emergency, I still regret that the other course was not taken; but I see no reason whatever to charge the magistrates on this account, with any wilful neglect of duty or want of zeal.

"I regret that I have not been able sooner to communicate to you my opinion.

"I am, gentlemen,

"Your obedient servant,

"NORMANBY.

W. Scholefield, esq. (late mayor) and the magistrates of Birmingham.

At the same time, a letter from Mr. Phillips, of the Home Office, to Mr. Hebbert, of Birmingham, one of the memorialists who alleged wilful neglect of duty against the magistrates, acquainted that gentleman with Lord Normanby's opinion, "that the memorialists have altogether failed in establishing the allegations and charges contained in their memorial; and that such evidence does not call for, and would not warrant the institution of any such proceedings, as are prayed for in the memorial against the mayor and magistrates."

— LETTER FROM MR. T. ATTWOOD, LATE M.P. FOR BIRMINGHAM. — Mr. Thomas Attwood's resignation of his seat for Birmingham, was formally communicated to the "Electors and Inhabitants

of the Borough," in a letter published in the *Birmingham Journal* of this day. The following extract from this characteristic document, will explain Mr. Attwood's reasons for retiring from parliament. He had laboured in the cause of the people to no purpose:—

"For seven years I have toiled on under the influence of the righteous hope that I might probably be of service in assisting to restore real and permanent prosperity to the industrious classes, and real and solid liberty to the people. All my hopes have been disappointed. I have found it utterly impossible to do any good to my country by honest means, either *within* the walls of parliament, or *without* the walls of parliament. This latter failure has been to me a bitter mortification. When I found that all hope was vain *within parliament*, I turned to the people *out of doors*. I had done every thing in my power to give the Reform Bill a fair trial. I had waited, year after year, in the hope of its producing fruit *meet for the people*. It was not until all hope was abandoned, that I cried out to the people, 'Cut down the tree: why cumbereth it the ground?'"

He had attempted to rally the people for a grand movement for further reform—for a "great work, seven times greater than that of 1832;" but the effort had totally failed—

"My humble warnings were unheard and unseen. The public press, whether whig, tory, or radical, throughout the whole nation, concealed them from the public eye. All things went wrong. Whilst I was *building up* in the day, others were *pulling down* in the night. Whilst I was recommending unions

T

between masters and workmen *against their common oppressors*, others were recommending unions of workmen *against their masters*. Whilst I was pointing out the just and righteous and effectual means of giving victory to the people, others were recommending *arms and physical force*."

"The deluders of the people succeeded in leading the people astray. The irresistible *moral tempest*, which I had foreseen, was converted into hopeless and feeble exhibitions of *physical force*. The people had no hope whatever, *except in moral force*; and *there* their triumph was comparatively certain. *This* they were taught to despise and *throw away*. They did not possess the means of availing themselves of *physical force*; and if they had possessed them, it would certainly have done them more harm than good; and yet upon this *broken reed* they were taught to rely. Their *poverty* was the grand oppression which rendered reform necessary. They had not the *money* to *buy bread* for themselves and their families; and yet they were gravely recommended to *buy arms* for their country. Their *disease* was *poverty*, and the remedy which *rich men only* can make use of, was recommended to them. They were omnipotent *under the law*. They were weaker than infants *against the law*. They were seduced to set the law at defiance. And now what is the result? The people are delivered up into the hands of their oppressors!"

"Yes, my friends, *this* is the melancholy state of our country. The deluders of the people, by guilt or by folly, have delivered them into the hands of their oppressors. They have rendered it

now almost impossible to form large combinations, or to hold large assemblages of the people. They have recommended measures *notoriously illegal*; urging the people to *provide arms for the purpose of either attacking, controlling, or intimidating the government*. They have thus set the law against them. They have set every jury in England against them. They have set every rich man, every humane man, and almost every rational man against them."

"Discord, suspicion, hatred, and alarm, have been scattered everywhere. The peaceful, legal, and sublime moral movement of the nation which I was contemplating, has been shattered and broken up into a thousand fragments; and I have not the means of restoring the *public confidence*, the *unity*, the *morality*, and *strict legality*, which are absolutely necessary to give it a chance of success."

The rest of the letter was chiefly occupied with a disquisition, or rather declamation, on the mischief of a gold currency and of paper redeemable in gold; on the iniquitous league between the landlords and the "money lords;" the necessity of "humbling the barbarians of the North;" and the utter disregard of all his warnings and advice by ministers and parliament.

It may however be worth while, as a satisfaction to the upholders of monarchy, and as a warning, (if they will take it,) to those who anticipate great popular advantages from further democratic changes, to give one more extract.

"Strange it is to reflect that whilst despotic Russia, despotic Austria, and despotic Prussia, have each been acting upon a wise, benevolent, and patriotic

policy, and have thereby made their people prosperous, happy, and contented, constitutional England, and constitutional America have each been acting upon a policy directly opposite, producing directly opposite effects. In these latter countries, no *Hardenbergs*, no *Nesselrodes*, no *Metternicks*, are now produced. In both of them industry is hunted down under the name of speculation. The democracy in America are at this moment cutting their own throats as madly, and working the very same wild havoc among the industrious classes there, as the Jewish aristocracy are working here."

It is perhaps necessary to mention, that the italics are Mr. Attwood's.

22. CHURCH OF SCOTLAND.—The Court of Session having granted an interdict on the application of the rev. J. Cruickshank, and the six other ministers, members of the Strathbogie Presbytery, suspended by the commission of the general assembly of the church of Scotland, the ministers who were appointed in conformity with the assembly's order, were thereby formally prohibited from entering the churches, churchyards, or school-houses, or in any manner interfering with the legal rights of the suspended ministers. In defiance, however, of this injunction, an attempt was made on Sunday, the 22nd, to execute the sentence of suspension pronounced by the commission of the general assembly against two members of the Strathbogie presbytery, the ministers of Mortlach and Keith. A correspondent of a Scotch newspaper, writing from Mortlach on Sunday afternoon, thus describes the proceedings there:—

"An extraordinary scene and state of excitement has just occurred here. The rev. D. Grant, of Forres, accompanied by the Fiscal and others, made his appearance at Mortlach about a quarter of an hour before the hour of public worship (twelve o'clock.) He then proceeded to the parish church, where the people were all collected on the road, the church doors and gates being barred and guarded. On arriving, Mr. Grant was met by Mr. Gatherer, solicitor, Elgin, who supplied him with the court of session's interdict. Finding it in vain to attempt admission to the church, he invited the people to the village, where he preached in the open air, and declared the sentence of suspension against Mr. Cruickshank the parish minister. His own remarks, after so doing, tended to show that it was a service he would very gladly have passed into other hands; but he said he was obliged to perform it under fear of a much more severe sentence being passed against him than what he had delivered—'a sentence,' he said, of complete and final deposition from the work of the holy ministry.' The feelings of the people were altogether in behalf of their minister, and they were anxious to escort him in triumph to his pulpit, had he been willing, but he judged it expedient to decline preaching to-day. Mr. Grant intimated to the people that they would be supplied with preaching next Sabbath by appointment of the general assembly; and Mr. Gatherer, the law-agent, at the same time stated that any party sent would be treated in the same way as Mr. Grant. The people collected in groups in every quarter of the village, discussing the merits of the question."

The church at Keith was also barred and guarded; and Mr. M'Kay of Rafford, the minister appointed by the commission to perform that duty, intimated "the finding of the commission" to a small congregation at the church-gate.

23. *HARVEY v. NORTON*.—The Court of Queen's Bench tried an action brought by Mr. Harvey, a carpet manufacturer in the Westminster Road, against the honourable George Norton. The plaintiff's object was to recover the sum of 49*l.* 11*s.* 2*d.* for goods delivered to Mrs. Norton, when that lady, after separating from her husband, was furnishing a house in Bolton-street, which she occupied together with her uncle Mr. Sheridan. It appeared that the sum-total of Mrs. Norton's purchase was 92*l.*; but of this, a considerable portion Mrs. Norton said, when called upon for payment, was for Mr. Sheridan; and that gentleman subsequently discharged his share of the account, leaving the balance above-mentioned to be paid by Mrs. Norton. Not being able to obtain the money from Mrs. Norton, the plaintiff applied to Mr. Norton, who referred the matter to his lawyer, and it was finally brought into court. On the part of the plaintiff an attempt was made to prove that Mrs. Norton was in "exclusive occupation" of a part of the house in Bolton-street; but cross-examination of servants and other witnesses showed that Mr. Sheridan and his niece lived together as members of the same family, using the same drawing-room and dining-room. There was no evidence to prove that Mrs. Norton was lessee of the house, but every reason to suppose that Mr. Sheridan was, and that he let

part of it to Mrs. Norton. Under these circumstances, it was contended that Mr. Norton was not bound to pay the bill. As his wife was living apart from him by his desire, he was under an obligation to provide her with necessities suitable to her station in life, but not to supply Mr. Sheridan with means of letting furnished lodgings. Lord Denman's charge was thus far adverse to the plaintiff's claim; and the jury, without leaving the box, found a verdict for the defendant.

24. *WELLINGTON MEMORIAL*.—A public meeting was held this day in the Hopetoun Rooms, Edinburgh, to set on foot a subscription for erecting a national testimonial to the duke of Wellington in the Scottish capitol. Men of different politics attended; and among those who moved and seconded the resolutions, were the lord provost, the earl of Roseberry, sir George Clerk, the lord advocate, professor Wilson, the earl of Dalhousie, Mr. Gibson Craig, sir George Sinclair, sir T. Dick Lauder, the marquis of Tweeddale, and sir David Dundas.

Subscriptions of 100*l.* each were announced from the marquis of Tweeddale and the marquis of Breadalbane; from lord Haddington 50*l.*; and promises of contribution were made by many other noblemen and gentlemen.

— *FLOODS IN IRELAND*.—Owing to the extraordinary continuance of rainy weather, the country in Ireland is described as having become flooded on all sides, and the cottages of the peasantry in many places as converted into heaps of mud. The water entered through the roofs and in at the doors, leaving the wretched inmates no dry spot to set their feet on, much less to lie

down and sleep. Their straw beds were saturated with water and the mud of the clay floors; in short, there were few farmers' pigs that were not much more comfortably lodged than were these wretched people. The total want of fuel greatly aggravated and prolonged this misery. In many parts their only fire, consisted of coals brought from the sea-coast, and sold at such a price that a man's hire scarcely sufficed to pay for the cooking of his potatoes. Of turf there was an absolute and total failure. It was asserted that in Cashel, where previously to this year no other description of firing had been used, a penny was paid for a single sod. The unwholesome quality of the food, combined with these other circumstances, produced its natural effects. Fever became lamentably prevalent, and sickness and disease were added to the calamities of the already perishing peasantry.

24. AUCHTERARDER CASE.—A summons was about this time served at the instance of the earl of Kinnoull and the reverend Mr. Young, on the reverend Mr. Ferguson and others, members of the presbytery of Auchterarder, "for 5,000*l.* in name of damages, and in reparation of the wrong done to, and injury and damage sustained by, the earl of Kinnoull, in respect of the illegal refusal of the defenders to take trial of the qualifications of the reverend Robert Young, as presentee to the church and parish of Auchterarder;" for "8,000*l.* in name of damages to Mr. Young, in consequence of his having been illegally, and through the wrongful refusal of the defenders to discharge their duty by taking trial of his qualifications, in terms of the judgments of the

court of session and the House of Lords, kept out of possession of the stipend, manse, and glebe of the parish of Auchterarder;" for "2,000*l.* in reparation of the injury done to his character and usefulness, and to his *status* in the church of Scotland, as a *solatium* for the injury done to his feelings by and through the illegal refusal of the defenders to implement the judgments libelled; and for "1,000*l.* more or less, at the expenses of process to follow hereon."

— LAND SLIP IN DORSETSHIRE. — On Christmas Eve, about six, the residents in the houses and cottages along the coast between Lyme and Seaton were alarmed by a convulsion of the earth, attended with fearful sounds. This astounding occurrence was succeeded by reiterations of the phenomena, and those who went out to ascertain its cause, on arriving at a part of the coast near Dowlands, a quarter of a mile from the sea, found that a large portion of land, on which there were several cottages, orchards, and a coppice, had been separated from their sites, leaving huge chasms in a lateral direction along the coast between Sidmouth and Seaton to the extent of upwards of four miles. The convulsions of the earth continued at various intervals from the night of Tuesday the 24th to Friday evening the 27th; having within that interval occasioned the prostration and subsidence of buildings of various descriptions, the displacement of large tracts of soil, and a loss of property to a considerable extent, among the sufferers by which was Mrs. Inman, a resident of Bishop's Hull, near Taunton, whose loss was estimated at upwards of 2,000*l.* Some other individuals also suf-

ferred heavily by the event. A huge rock fifty feet high appeared in the sea off Culverhole, nearly a quarter of a mile from the spot where the principal scene of mischief presented itself. No lives were lost by this event; although several of the occupants of cottages, who had left home to spend their Christmas Eve, found to their great astonishment, on their return, no other vestiges of their dwellings but those presented by the roofs and chimnies discernible above the chasms in which their habitations were engulfed. The new road from Charmouth to Lyme was utterly destroyed.

— **FREEDOM OF CONSCIENCE.**
—A curious case came before the Thames police magistrates. Donald M'Nab, a seaman, claimed 15*l.* 5*s.* 6*d.*, the balance of wages due to him on a voyage to Madras and back to England. Among other

deductions insisted on by the agent of the owners, was 2*l.* 5*s.*, or a month's pay, because M'Nab, a Scotch presbyterian, refused to attend divine service on board according to the rubric of the church of England, agreeably to a regulation made by the owners. The deduction was disallowed; and the case governed another, that of a Roman Catholic seaman on board the same ship.

31. **TRIALS FOR HIGH TREASON.**
—The trial of Frost the leader in the late insurrection in South Wales, began at Monmouth on this day, but as the proceedings in his case, and in those of his fellow prisoners, extended over a considerable time in the month of January following, it is thought best not to divide the account, but to refer the reader to the volume for the year 1840, where the whole will be given.

APPENDIX TO CHRONICLE.

LIST OF THE QUEEN'S MINISTERS.

Viscount Melbourne	<i>First Lord of the Treasury.</i>
Rt. hon. Francis Thornhill Baring..	<i>Chancellor of the Exchequer,</i>
Lord Cottenham	<i>Lord Chancellor.</i>
Marquess of Lansdowne	<i>President of the Council.</i>
Viscount Duncannon	<i>Lord Privy Seal and First Commissioner of Land Revenue,</i>
Marquess of Normanby	<i>Secretary of State for the Home Dept.</i>
Viscount Palmerston	<i>Secretary of State for Foreign Affairs</i>
Lord John Russell	<i>Secretary of State for the Colonies.</i>
Earl of Minto	<i>First Lord of the Admiralty.</i>
Rt. hn. Sir John Cam Hobhouse ..	<i>President of the Board of Control.</i>
Right hon. Henry Labouchere	<i>{ President of the Board of Trade</i>
Lord Holland	<i>and Master of the Mint.</i>
Rt. hon. T. Babington Macaulay ..	<i>Chancellor of the Duchy of Lancaster,</i>
Lord Morpeth	<i>Secretary at War.</i>
	<i>Chief Secretary for Ireland.</i>

. *The above form the CABINET.*

Earl of Lichfield	<i>Postmaster-General.</i>
Rt. hn. Sir Richard H. Vivian, bt.	<i>Master General of the Ordnance,</i>
Marquess of Conyngham	<i>Lord Chamberlain.</i>
.....	<i>Lord Steward.</i>
Earl of Albemarle	<i>Master of the Horse.</i>
Marquess of Winchester	<i>Groom of the Stole.</i>
Right hon. Sir Henry Parnell, bt.	<i>Paymaster General.</i>
Sir John Campbell, knt.	<i>Attorney-General.</i>
Sir Robert M. Rolfe, knt. .,	<i>Solicitor-General.</i>

IRELAND.

Viscount Ebrington	<i>Lord-Lieutenant.</i>
Lord Plunket	<i>Lord Chancellor.</i>
Lt. gen. Sir Edw. Blakeney	<i>Commander of the Forces.</i>
Right hon. Maziere Brady, Esq.	<i>Attorney-General.</i>
David Richard Pigot, Esq.	<i>Solicitor-General.</i>

SHERIFFS FOR THE YEAR 1839.

<i>Bedfordshire</i>	Levi Ames, of East Hyde, Esq.
<i>Berkshire</i>	M. G. Thoyts, of Sulhampstead, Esq.
<i>Bucks</i>	Benj. Way, of Denham, Esq.
<i>Cambridge and Huntingdonshire</i> }	Sir Richard H. Hussey, of the Views, Huntingdon, Kat.
<i>Cheshire</i>	Thomas Hibbert, of Birtles, Esq.
<i>Cornwall</i>	Sir R. R. Vyvian, of Trelowarren, Bart.
<i>Cumberland</i>	Thomas Hartley, of Gillfoot, Esq.
<i>Derbyshire</i>	B. B. P. Burnell, of Beauchief Abbey, Esq.
<i>Devonshire</i>	Codrington Parr, of Stonelands, Esq.
<i>Dorsetshire</i>	Joseph Weld, of East Lulworth, Esq.
<i>Durham</i>	Sir W. Chaytor, of Witton Castle, Bart.
<i>Essex</i>	John F. Mills, of Lexden-park, Esq.
<i>Gloucestershire</i>	Maynard Colcbester, of Westbury-on-Severn, Esq.
<i>Hampshire</i>	John Mills, of Bistern Ringwood, Esq.
<i>Herefordshire</i>	James Phillips, of Bryngwyn, Esq.
<i>Hertfordshire</i>	C. B. D. Garrard, of Weathamstead, Esq.
<i>Kent</i>	David Salomans, of Broom-hill, Tunbridge, Esq.
<i>Lancashire</i>	Chas. Scarisbrick, of Scarisbrick, Esq.
<i>Leicestershire</i>	Edw. Dawson, of Whatton-house, Esq.
<i>Lincolnshire</i>	Geo. F. Heneage, of Hainton-hall, Esq.
<i>Monmouthshire</i>	Colethurst Bateman, Pertholey, Esq.
<i>Norfolk</i>	Sir T. Hare, of Stow Bardolph, Bart.
<i>Northamptonshire</i>	William Drayson, of Floore-fields-house, Esq.
<i>Northumberland</i>	J. Davidson, of Ridley-hall, Esq.
<i>Nottinghamshire</i>	John E. Dennison, of Ossington, Esq.
<i>Oxfordshire</i>	J. H. S. Harrison, of Shellsweil, Esq.
<i>Rutlandshire</i>	John Monkton, of Seaton, Esq.
<i>Salop</i>	Peter Broughton, of Tunstall, Esq.
<i>Somersetshire</i>	Sir W. C. Medlicott, of Milborne Port, Bart.
<i>Staffordshire</i>	Wm. Moore, of Wychdon-lodge, Esq.
<i>Southampton</i>	John Mills, of Bistern Ringwood, Esq.
<i>Suffolk</i>	A. J. Brooke, of Horningsheath, Esq.
<i>Surrey</i>	Samuel Paynter, of Richmond, Esq.
<i>Sussex</i>	Thomas Frewen, of Brickwall-house, Northiam, Esq.
<i>Warwickshire</i>	Sir F. Lawley, of Middleton-hall, Bart.
<i>Wiltshire</i>	C. L. Phipps, of Wans-house, Esq.
<i>Worcestershire</i>	Wm. C. Russell, of Kingsheath, Esq.
<i>Yorkshire</i>	C. R. Tempest, of Broughton, Esq.

WALES.

<i>Anglesey</i>	Jas. Greenfield, of Rhyddgaer, Esq.
<i>Carnarvonshire</i>	John Williams, of Hendregadno, Esq.
<i>Denbighshire</i>	Sir John Williams, of Bodlewyddan, Esq.
<i>Flintshire</i>	J. O. C. Read, of Hawarden, Esq.
<i>Merionethshire</i>	Hon. E. M. L. Mostyn, of Plasben.
<i>Montgomeryshire</i>	David Hamer, of Glanrafon, Esq.
<i>Breconshire</i>	John Lloyd, of Dinas, Esq.
<i>Cardiganshire</i>	Hon. G. Vaughan, of Cwmnwydion.
<i>Carmarthenshire</i>	J. E. Saunders, of Glanrhyd, Esq.
<i>Glanorganshire</i>	C. H. Smith, of Gwernllwynwith, Esq.
<i>Pembrokeshire</i>	G. W. W. Davis, of Mullock, Esq.
<i>Radiershire</i>	Henry Lingen, of Penlanoley, Esq.

IRELAND.

<i>Antrim</i>	J. Agnew, esq.
<i>Armagh</i>	T. Wilson, esq.
<i>Carlow</i>	W. F. Tighe, esq.
<i>Cavan</i>	Sir G. F. Hudson.
<i>Clare</i>	F. M'Namara, esq.
<i>Cork</i>	John Isaac Heard, esq.
<i>Donegal</i>	D. Chambers, esq.
<i>Down</i>	John S. Crawford, esq.
<i>Dublin</i>	Thomas White, esq.
<i>Fermanagh</i>	J. Brien, esq.
<i>Galway</i>	P. Blake, esq.
<i>Kerry</i>	T. A. Stoughton, esq.
<i>Kildare</i>	W. H. Burgh, esq.
<i>Kilkenny</i>	T. St. George, esq.
<i>King's County</i>	Viscount Oxmantown.
<i>Leitrim</i>	C. M. St. George, esq.
<i>Limerick</i>	Sir Richard Burke.
<i>Longford</i>	R. Fox, esq.
<i>Louth</i>	T. Fortescue, esq.
<i>Mayo</i>	V. O'Connor Blake, esq.
<i>Meath</i>	R. Rothwell, esq.
<i>Monaghan</i>	T. Crawford, esq.
<i>Queen's County</i>	Colonel A. Weldon.
<i>Roscommon</i>	R. O'Connor, esq.
<i>Sligo</i>	D. H. Ferrall, esq.
<i>Tipperary</i>	Peter, Count D'Alton.
<i>Tyrone</i>	T. Houstoun, esq.
<i>Waterford</i>	N. Power, esq.
<i>Westmeath</i>	R. W. Reynell, esq.
<i>Wexford</i>	G. P. Houghton, esq.
<i>Wicklow</i>	Baron de Roebeck

282 ANNUAL REGISTER, 1839.

BIRTHS.

1839.

JANUARY.

Lately. At the Cape, the lady of Mr. Justice Menzies, a daughter.

1. The lady of the rev. Edward Woodhouse, of Esher, Surrey, a daughter.

6. The countess of Arran, a son.

7. At Bath, the lady of Mynors Baskeville, esq., of Clyro Court, Radnorshire, a son and heir.

— At Hawford, the lady of captain Charles Pearson, a daughter.

— The lady of sir James Edward Alexander, K.L.S., a daughter.

10. In Montague-place, the lady of S. R. Bosanquet, esq., a son.

— At Horsmonden, Kent, the lady of the rev. William M. Smith Marriott, esq., a daughter.

13. At Crosswood, Cardiganshire, the countess of Lisburne, a son.

— At Ashley Park, lady Fletcher, a daughter.

— At Syston Park, the lady of H. R. Yorke, esq., a daughter.

— At the vice-chancellor's lodgings, Brasenose College, Oxford, Mrs. Gilbert, a daughter.

15. At Nice, the countess of Powerscourt, a son.

16. At Bodryddan, North Wales, the lady of the hon. R. T. Rowley, a dau.

— At Bishop's Lodge, Jamaica, the lady of the lord bishop, a son.

17. At Egerton Lodge, Melton Mowbray, the countess of Wilton, a son.

— At Sonning, the lady of lieut.-col. Bowyer, C.B., a son.

— At Lisheen, lady Judkin Fitzgerald, a daughter.

— At Ashysteel, Selkirkshire, the lady of major-general sir James Russell, a daughter.

19. At Beckett, the viscountess Harrington, a daughter.

— In Bruton-street, the right hon. lady Cottenham, a daughter.

20. At Everingham Park, the lady of William Constable Maxwell, esq., a dau.

22. At Poore, Juggernaught, the lady of James Kerr Ewart, esq., a daughter.

24. The lady of sir G. Young, bart., of Formosa, a son.

BIRTHS.

— At Blackheath Park, a few days after the death of her husband, the widow of the late Adam Gordon, esq., a son.

— At Coilsfield, Ayrshire, N.B., the lady of J. S. Hay, esq., a daughter.

At Wellesbourne, the lady of D. J. Cunynghame, esq., a son and heir.

25. At Sluvel, the lady of the rev. W. M. Blencowe, a daughter.

28. At Hartwell, Bucks, the lady of the rev. Howell J. Phillips, M.A. a son.

— At Malta, her excellency the duchess Sforza Cesarini, Princess of Savelli, a daughter.

29. At Nyon, the lady of H. B. Ward, esq., a daughter.

— At Cardington, Mrs. Samuel Whitbread, a son.

31 In Connaught-square, the lady of Henry Hugh Fraser, esq., a daughter.

FEBRUARY.

1. At Wanlip rectory, Leicestershire, the lady of the rev. Charles Archdale Palmer, a daughter.

— At Torre Abbey, the lady of Henry George Cary, esq., a son.

2. At Furby Hall, Yorkshire, the lady of John L. Hammond, esq., of a daughter.

— The wife of G. E. Welby, esq., M. P., a daughter.

4. At Edensor, the hon. Mrs. Hodgson, wife of the archdeacon of Derby, a daughter.

— At Coleford, near Frome, the wife of the rev. John Henry Clayton, a son and heir.

— The wife of Benjamin Jacques, of Northgate-street, Gloucester, three fine boys.

— In Berkeley-square, the lady of Abel Smith, esq., M. P., a daughter.

— At Pau, Lower Pyrenees, the lady of the rev. A. Auriol Barker, a daughter.

5. At Roehampton, the wife of the hon. J. T. L. Melville, a son.

— At Aspeden, the wife of the hon. and rev. Grantham Yorke, a daughter.

— In Hill-street, the wife of W. Strahan, esq., a son.

7. At Bath, the lady of major-general Swiney, a daughter.

11. In Grosvenor-place, lady Lifford, a son.

— At Foulden Hall, Norfolk, the

BIRTHS.

wife of W. G. T. Daniel Tyssen, esq., a daughter.

— At Edlburgh, the wife of W. B. Callander, esq., of Preston Hall, a son and heir.

— At Rochampton, the lady of the hon. I. T. Leslie Melville, a son.

15. In Harley-street, the lady of Denis le Marchant, a son.

19. At Ghazipore, East Indies, the wife of Charles Raikes, esq., a son.

21. At the Rectory, Rimpton, Somersetshire, the hon. Mrs. Maurice, a son.

— At Mexico, the lady of Charles T. O'Gorman, esq., late British consul-general, a daughter.

22. At Acton, Suffolk, the lady of the rev. Lawrence, Ottley, a daughter.

23. At Grove Park, near Warwick, the right hon. lady Dormer, of a son.

24. In Queen Ann-street, the wife of H. E. Talbot, esq., of Lacock Abbey, a daughter.

25. At Dawlish, lady Lisle, a son.

27. At Trevelia, Cornwall, the wife of C. Johns, esq., a son and heir.

— At York-terrace, Regent's-park, the countess of Huntingdon, a son, still-born.

28. At Mount Tavy, near Tavistock, the wife of John Carpenter, esq., a son and heir.

— At Oxford, the wife of the rev. W. Jacobson, vice-principal of Magdalen Hall, a daughter.

MARCH.

1. At the Rectory, Chesham Bois, the lady Catherine Barrington, a daughter.

2. The lady of the rev. sir George Robinson, a daughter.

— At Bert House, Ireland, the seat of lord Downes, the countess of Clonmel, a son and heir.

— At Finedon-hall, Northamptonshire, the wife of W. Mackworth Dolben, esq., a son.

3. At Windsor, the lady of lieutenant Munro, of the royal horse guards, a daughter.

— The lady of the rev. Robert Burdett Burgess, M.A., a daughter.

5. In Brunswick-square, the wife of the rev. Henry Rose, rector of Houghton Conquest, a daughter.

— In Park-place, St. James's, lady Arthur Lennox, a daughter.

— At Le Luc, in the south of France,

the wife of capt. Mathew, M. P. a son.

8. At Tonbridge Wells, the lady Harriett Searle, a daughter.

9. At Weston Birt, Gloucestershire, the lady of R. B. Hale, esq., M. P. a daughter.

— At Godmersham Park, Kent, lady George Hill, a son.

10. Lady Mary Viner a son.

— At Plumstead Common, the lady of John Wynne, esq., royal horse artillery, a son.

— At Trabursye House, Cornwall, the lady of Francis Rodd, esq., a son and heir.

12. At Gipping Hall, Suffolk, the lady Mary E. Haworth, a son.

— At Hill-street, Berkeley-square, the lady of lieutenant-colonel Nugent, grenadier guards, a son.

13. At Eaton-square, the lady of Thomas Milner Gibson, esq., M. P., a daughter.

17. The wife of Alexander Adair, esq., of Heatherston Park, Somerset, a son.

18. At Oxenden, Northamptonshire, the lady of the rev. Henry Ralph Rokeby, a son.

19. In Chester-square, the lady Katharine Beaucherk, a daughter.

— In Queen Anne-street, Cavendish-square, the lady of George Burrows, M. D., a son.

— At Knypersley-hall, the wife of J. Bateman, esq., a son and heir.

— At Dartington House, Devon, the wife of Henry Champenowne, esq., a son.

21. In Berkeley-square, Mrs. Henry Baring, a son.

— At Reading, the wife of John Richards, jun. esq., F. S. A., a dau.

22. At Westhorpe House, the wife of Rice Richard Clayton, esq., a daughter.

— At Holme Lacy, Herefordshire, the lady of Sir Edwyn Soudamore Stanhope, bart., a son.

23. At Bath, the lady of Capt. Ellis, of the 13th light dragoons, a dau.

— At Gillsborough, the lady of the rev. J. D. Watson, a daughter.

24. At Babraham, Camb., the wife of H. J. Adeane, esq., a daughter

25. At Ince Hall, Cheshire, the wife of the rev. W. Waldegrave Park, a son.

— At Birtles Hall, Cheshire, the lady of Thomas Hibbert, esq., a son.

26. At Barton under-Needwood, Stafford, of a daughter, the widow of the

BIRTHS.

late John Wilson, esq., whose death took place the day previous.

27. At Hitchin Priory, the lady of F. P. Delme Radcliffe, esq., a son.

— At Leamington, the lady of Major Johnstone, 42d royal highlanders, a son.

28. In Nottingham Place, the Viscountess Hood, a son, who survived only a few hours.

29. In Grosvenor-square, Lady Charlotte Guest, a son.

— At Woodhall, Norfolk, the wife of the rev. St. Vincent Beechey, a son.

30. At West Hall, Aberdeenshire, Mrs. E. Dalrymple, a son.

Lately. In Stirlingshire, lady Louisa Forbes, a daughter.

— In Bryanstone-square, lady Blackett, a daughter.

— At Donnington Rectory, the lady of the Dean of Lichfield, a daughter.

— At Ellerton Hall, Worcester, the wife of Robert Masfield, esq., a son and heir.

— At Hovingham, Yorkshire, lady Worsley, a daughter.

— At Oxenford Castle, the hon. Mrs. Coventry, a daughter, who only survived a few hours.

APRIL.

1. At Convamore, county of Cork, the countess of Listowel, a son.

— In Charles-street, Berkeley-sq., the countess of Brecknock, a daughter.

— At Reading, Berks, the lady of captain James A. Murray, R.N., a daughter.

— At Powick, near Worcester, the lady of captain W. S. Moorsom, a son.

2. At Lower Grosvenor-street, the lady of captain Sotheby, R.N., a daughter.

— At Gwrych Castle, Denbighshire, the lady Emily Bamford Hesketh, a daughter.

— At Dingestow Court, Monmouthshire, Mrs. Harcourt, lady of G. S. Harcourt, Esq., M.P., Bucks, a daughter, stillborn.

— At Loughall, near Armagh, lady Mary Hewitt, a son, still-born.

6. At Fittleworth, Sussex, the wife of the rev. George William Murray, twin daughters.

— At Offley Vicarage, Herts, the lady

of the rev. Thelwall Salisbury, a daughter.

7. The wife of Tycho Wing, esq., of Thorney Abbey, a son.

— In Park-lane, the countess of Lincoln, a daughter.

8. At Chatham, the lady of captain Sandham, royal engineers, a son.

— In Park-street, Grosvenor-square, the countess Henri de Cigala, a son.

— At Wenloe Rectory, Glamorgan-shire, the lady of the rev. Charles Jenner, a daughter.

— At Gilston Park, the lady of H. G. Ward, esq., M.P., a daughter.

— In Bryanstone-square, the wife of W. Long, esq., of Hurt's-hall, Sarumundham, a son.

9. At the British Museum, the lady of sir Frederick Madden, K.H., a son.

— At Egham Park, the lady of lieutenant-colonel Salway, M.P., a daughter.

— At Roebuck, Dublin, the lady of lieutenant-colonel Henry Hall, a daughter.

10. At Ileden, Barham Downs, the lady of sir Richard Plaskett, a daughter.

— At Milton Abbott, Devon, the lady of the rev. St. Vincent Hammick, a son.

— At Tonbridge Wells, the lady of Arthur W. Ward, esq., a son.

11. The countess of Glengall, a son, still-born.

12. At Mickleham-hall, lady Albert Conyngham, a daughter.

13. At the Vicarage, Barking, the hon. Mrs. Robert Liddell, a son.

14. At Piccadilly, the lady Louisa Hughan, a daughter.

— In Bryanston-square, lady Elizabeth Drummond, a son.

16. In Grosvenor-street, the lady of the hon. Charles Hanbury Tracy, a daughter.

17. At Fulham, the lady of the rev. Evan Nepean, a daughter.

18. At Richmond-park, the hon. Mrs. Barker Wall, a daughter.

19. In Belgrave-square, the duchess of Montrose, a daughter.

20. In Wilton-crescent, the lady of George Drummond, esq., a daughter.

— At Amersham, the lady of colonel W. T. Drake, a daughter.

21. In Upper Harley-street, the hon. Mrs. Kenyon, a daughter.

22. The lady of Edward Divett, esq., M.P., a daughter.

BIRTHS.

— At Hatfield, the wife of the rev. B. Pelle, a son.

24. In Park-street, Westminster, the wife of the rev. H. Wagner, vicar of Brighton, a son.

— In Chester-square, the hon. Mrs. Hamilton, a daughter.

25. The lady of F. J. Van Zeller, esq., Portuguese consul-general, a daughter.

— The countess of Uxbridge, a son.

26. At Horton, Bucks, the lady of George Thomas Bulkeley, esq., a son.

— At Yarmouth, Norfolk, the lady of John Bracy, esq., a daughter.

27. At Paris, the lady of William Jones, esq., of Clytha House, Monmouthshire, a daughter.

— At Culverlands, near Franham, the lady of captain lord George Paulett, R. N., a son.

— At Erwater Parsonage, the lady of the rev. Ralph Berners, a son.

MAY.

5. In Bath, the lady of the rev. R. V. Law, a son.

— In St. James's-place, the lady of J. H. Vivian, esq., M. P., a daughter.

— At Culverthorpe, the hon. Mrs. Handley, a daughter.

7. In Upper Wimpole-street, the lady of Philip Joseph Salomons, esq., a daughter.

8. In Upper Grosvenor-street, the lady of the hon. Thomas Barnewall, a daughter.

9. The lady of the rev. Charles Wordsworth, second master of Winchester-college, a daughter.

— At Haccombe, the lady of sir Walter Carew, bart., a daughter.

10. In Holles-street, Cavendish-square, the lady of colonel Llewellyn, C. B., a daughter.

— At Tunbridge Wells, the hon. lady Parry, of twins.

11. The countess de Montgelas, a son.

— At East Langdon Rectory, the lady of the rev. Frederick de Chair, a son.

12. In Brook-street, the lady of A. Spiers, esq. M. P., a daughter.

13. In St. John's-wood, the lady of the rev. S. Robins, a daughter.

— At Langton Rectory, the wife of the rev. Robert Farquharson, of a son.

15. At Stamford, Upper Canada, the lady of John Stewart, esq., a son.

— In Curzon-street, the lady Ernest Bruce, a son.

— At Brighton, the lady of Charles Morgan, esq., M. P., a daughter.

17. At Anniston, the lady Clementina Rait, a son.

— In Belgrave-street, the viscountess Corry, a son.

— In Southwick-street, Hyde-park, the wife of Jonathan Peel, esq., a daughter.

18. The wife of one of the workmen of Messrs. George Kent and Co., of London, of five children, all alive.

— At Paris, the right hon. lady Brabazon, a son and heir.

— At Warren-wood, Herts, the hon. Mrs. Murray, of a son.

19. At Dublin, the lady of sir Lucius O'Brien, bart., of Dromoland, a son and heir.

— The lady of sir W. Knighton, bart., a daughter, still-born.

22. At Chester, the lady of Howland E. E. Warburton, Esq., a son and heir.

— At Maldon, the wife of a man named Hay, two girls and a boy.

— At Rathmines, Dublin, the lady of the hon. T. F. W. Butler, a son and heir.

— At Henton Satchville, Devon, lady Clinton, a daughter.

24. At Kensington Gore, the lady of major-general Durant, a son.

— The lady of Edward Buller, esq., M. P., a son.

— At Wardle, near Edinburgh, the hon. Mrs. Primrose, a daughter.

26. The lady of the bishop of Ripon, a daughter.

— The lady Louisa Whitmore, a son and heir.

27. At Lyswayes Hall, Staffordshire, the lady of W. Herbert Woodhouse, esq., a son, still-born.

— At Wardour Castle, the right hon. lady Arundell, a son.

— At Brompton, near Chatham, the lady of captain Thomas Shadforth, fifty-seventh regiment, a son.

31. At Kilgraston, the lady Lucy Grant, a son.

— The wife of the hon. A. H. Moreton, M. P., a daughter.

JUNE.

1. At Hampton Lodge, Surrey, the lady Catharine Long, a son.
3. At Kilmory, Argylshire, the lady of sir John Orde, bart., a son.
5. At Stirling, lady Hay, a son.
6. At Edinburgh, the hon. Mrs. Davidson, of Tulloch Castle, N. B., a daughter.
 - At Palermo, the wife of G. H. Onslow, esq., a daughter.
7. In Belgrave-square, the lady Charlotte Talbot, a son and heir.
 - At Cottrell, Glamorganshire, the lady of the rev. Roper T. Tylor, a daughter.
 - At Exmouth, the hon. Mrs. Lawrence Shawe, a daughter.
 - In Hinde-street, Manchester-square, the Lady Anna Maria Tolle-mache, a daughter.
10. At the Hasells, lady Jane Pym, a daughter.
 - At Seend, Wilts, the lady of W. H. Ludlow Bruges, esq., M. P., a son.
11. In Dover-street, the duchess de Coigny, a daughter.
14. At Witley, Surrey, the wife of Francis Scawen Blunt, esq., of Crabbett, Sussex, a son.
15. In Arlington-street, the lady Mary Stephenson, a daughter.
16. The lady of Edward Lloyd Gatacre, esq., of Coton, Shropshire, a son.
 - At Compton House, Gloucestershire, the lady of J. F. Davis esq., twin daughters.
17. At Baronald Lanarkshire, the lady of lieutenant-colonel Hall, a son.
 - In Manchester-street, the lady of major Charles Boyd, a son.
20. At Sodington, lady Blount, a son.
 - At Walmer, the lady of sir Keith A. Jackson, bart., a daughter.
21. At Wormley-lodge, Herts, the wife of C. J. Hare, esq., a daughter.
 - At Melcombe, Dorset, Mrs. James Farquharson, a daughter.
 - At Bridehead, the wife of A. H. Dyke Acland, esq., of Hill-house, Axminster, a daughter.
23. At King's Newton Hall, Derbyshire, the lady of George Vandeleur, esq., a son.
24. At Worlingham Hall, Suffolk, viscountess Acheson, a daughter.
25. In Audley-square, Mrs. Baillie, a son.

BIRTHS.

26. At Newington Butts, the wife of the Rev. Richard Shutte, M. A., a son.
28. In Bryanston-square, the hon. Mrs. Crawford Antrobus, a daughter.
 - In Park-street, Grosvenor-square, the countess de Persano, a son.
29. The wife of Edward Dalton, esq., of Dunkirk-house, Minchinhampton, a son and heir.
 - At Brighton, the wife of E. Pothill, esq., a son.
 - Lately.* In Cavendish-square, lady Barham, a daughter.
 - At Noseley Hall, Leicestershire, the lady of sir Arthur Grey Hazlerigg, bart. a daughter.
 - At Bedford Hall, the wife of R. S. Horman Fisher, esq., a son.
 - In Yorkshire, the wife of colonel Markham, a son.
 - In Torrington-square, the lady of sir Harris Nicolas, a son.

JULY.

1. The wife of Henry Foley, esq., of Tetworth Hall, Hunts, a daughter.
2. At Printhead Lodge, the lady of sir G. Temple, bart., of a son.
 - In St. James's-square, the countess of Lovelace, of a son.
3. At the Vicarage, Longdon, near Lichfield, the lady of the reverend Stuart Majendie, a daughter.
 - At Egerton House, Jersey, the lady of major J. K. Clabley, of the Madras army, a daughter.
5. At Walton, lady Mordaunt, a dau.
 - In Belgrave-street, the lady of Thomas Gladstone, esq., of a daughter.
7. At Cheltenham, the hon. Mrs. Irby, a daughter.
9. In Great Cumberland-street, the lady of sir Bellingham Reginald Graham, bart., a daughter.
 - In Dublin, lady Elizabeth Brownlow, a son.
10. In Wilton-crescent, the lady Francis Gordon, a son.
12. At Plumstead Hall, Norfolk, the lady of the hon. H. Manners Sutton, a son.
 - At Cothelston House, Somerset, the lady of the reverend W. Wyndham Mallet, a son.
13. At Leamington, the viscountess Dillon of a daughter.
 - At Hensol, N. B., the lady of J. Cunninghame, esq., of Duchrae, a dau.

BIRTHS.

— In London, the countess of Sandwich, a son and heir.

Lately. At Chambly, Lower Canada, the lady Georgiana Catbcart, a dau.

19. In Wilton-place, the hon. Mrs. W. Coventry, a son, still-born.

20. The wife of the rev. Thomas Gurney, of Rampton, a daughter—being the seventeenth child.

— At Amwell, the lady of C. E. Dampier, esq., a son.

20. In Torrington-square, the wife of the rev. W. Wilson, curate of St. Pancras, a daughter.

21. At Windsor, the lady of captain Bulkeley, a daughter.

— At Great Domes, near Reigate, the lady of Auchmuty Tucker, esq., a son.

26. In the Regent's-park, the hon. Mrs. Macleod of Macleod, a son.

— At Newcastle, Ireland, the lady of the hon. and rev. Arthur Pomeroy, a son.

— At Gormanston Castle, the lady of the hon. Edward Preston, a daughter.

27. In Grosvenor-square, the viscountess Milton, a son.

28. At Cheltenham, the wife of John Trevelyan, esq., a son and heir.

31. In St. James's-square, the hon. Mrs. A. Legge, a son.

Lately. At Talacre, the lady of sir Edward Mostyn, bart., a daughter.

— In Berkeley-square, Mrs. Peere Williams, a daughter.

— In Warwickshire, lady Charles Poulett, a son.

— In Ireland, the hon. Mrs. Tighe, a son.

AUGUST.

1. At Walsall, the lady of the rev. W. G. Barker, a son.

— At Drogheda, the lady of Charles Twissleton Graves, esq., a daughter.

2. At Goldings, lady Townsend Farquhar, a son.

— At West Moulsey, the lady of George Barrow, esq., a daughter.

3. At Fulham, the hon. Mrs. Sidney Roper Carmon, a daughter.

— At Cambridge-terrace, Hyde-park, Mrs. R. du Pre Alexander, a daughter.

4. At Findon, Sussex, the wife of the rev. Alfred Lyall, a daughter.

5. The wife of Richard Bagge, esq.,

of Gaywood-hall, Norfolk, a daughter.

6. In Park-street, Grosvenor-square, Mrs. W. G. Prescott, a daughter.

8. At Staplehurst, Lady Mary Hoare, a daughter.

— At Mereden Vicarage, the wife of the hon. and rev. W. Somerville, a son.

— At Stonor-park, the wife of Thomas Stonor, esq., a daughter.

— At Aqualate, lady Boughey, a son.

— At Mote Park, Ireland, the hon. Mrs. Eyre Evans, a son and heir.

— At Menden Vicarage, the lady of the hon. and rev. William Somerville, a son.

9. At Chiselhurst, Kent, the lady of the rev. Thomas Fuller, of Eaton Place, a son.

10. The wife of the rev. Robert Watts, junior, a son.

11. At Warfield, Berks, the lady of the rev. C. J. Furlong, a son.

12. In Mortimer-st., the lady of Wm. Brodie, esq., of Brodie, a son and heir.

— At Clapham Common, the wife of J. Humphery, esq., M.P., a son.

16. At Netherdale Hall, Leicester, lady Gresley, a daughter.

17. At Thorsey Abbey, the wife of W. Whitting, esq., a son.

— At Great Haseley, the wife of H. Hamerley, esq., a son.

— At Ditton Park, the hon. Mrs. Hope, a son.

18. At Oldbury-place, Ightham, the wife of Thomas Selby, esq., a daughter.

19. At Ham Hall, the lady of D. Watts Russel, esq., a daughter.

20. At Kingweston, Somerset, the lady of F. H. Dickinson, esq., a son.

24. At Westover, Isle of Wight, the wife of the hon. W. A'Court Holmes, a son.

26. At Halton, Middlesex, the lady of sir F. Pollock, a daughter.

— At Ochertyre, Scotland, lady Keith Murray, a son.

27. At Amherstberg, Upper Canada, the lady of lieut.-col. Airey 34th regt. a son and heir.

— At Glynde, Sussex, the lady of sir Hamilton Seymour, her majesty's minister at Brussels, a daughter.

28. At Gilmerton, Scotland, lady Kinloch, a daughter.

— At Edington, the wife of the rev. A. H. Fownes Luttrell, vicar of Minehead, Somerset, a son.

BIRTHS.

29. At Pierremont, Isle of Thanet, the lady Frances Fletcher, a daughter.

30. At Colchester, the wife of Charles Edw. Blair, esq., K.C. and K.T.S., a son and heir.

SEPTEMBER.

1. The lady of major J. S. Winfield, Bengal army, a daughter.

— At Leamington, the wife of capt. T. Martin, R.N., a son.

3. At Rothley Tample, Leicester, the wife of James Parker, esq., a son.

— At Wimbledon, the wife of G. Hankey, esq., a son.

5. At Jamaica, the wife of W. C. Macdougall, esq., advocate-general, a son.

— At Gibraltar, the lady of Longlands Cowell, esq., his Belgian majesty's consul, a daughter.

— At Floors, the dutchess of Roxburgh, a son and heir.

— At Leamington, the lady of the hon. St. Vincent Saumarez, rifle brigade, a daughter.

— At Churchtown House, Kerry, the lady Blennerhassett, a son and heir.

6. At Ryde, Isle of Wight, the hon. lady Stirling, a son.

7. In Queen-street, Mayfair, the wife of W. Roebuck, esq., capt. 11th dragoons, a daughter.

8. At Dawlish, the wife of Edward Lloyd Kenyon, esq., a daughter.

— In Park-lane, the wife of H. Hussey, esq., a son.

— At Lockington Hall, Leicestershire, the lady of J. B. Story, esq., a son.

— At Balham, the lady of the rev. Frederick Borrodalle, a daughter.

9. At Brighton, the lady of sir Thomas Blomfield, a daughter.

10. At Anneregley, Chertsey, the hon. Mrs. James Norton, a son and heir.

11. At Geneva, the wife of H. de Burgh, esq., a daughter.

— Mrs. Webb, wife of a frame-work knitter residing in Nottingham, of four living children. A year and a half ago she had three, making her the mother of seven children in eighteen months.

— At Beverley, the wife of Francis Watt, jun. esq., a son and heir.

12. At Carlsruhe, lady E. Osborn, a son.

14. In Hart-street, the lady of the rev. John Letts, a daughter.

— In Devonshire-street, the lady of James Alston, esq., a son.

15. In Grosvenor-square, lady Emily Pusey, a son.

— At Westport, Mayo, Ireland, the lady of Vernon Schulch, esq., Haileybury, Hertfordshire, a son.

16. In Great Cumberland-place, the lady of George Robert Smith, esq., M.P., a son.

— In Charterhouse-square, the lady of the rev. William Goode, rector of St. Antholin and St. John the Baptist, a daughter.

17. At Landford House, Salisbury, the wife of captain W. H. Trollope, a son.

18. At Albury, the lady of the hon. and rev. W. L. Addington, a daughter.

— At Denby Grange, the lady of sir John L. L. Kaye, bart., a daughter.

19. At Manston, Dorset, the lady of H. Parr Yeatman, esq., a son and heir.

21. In Lancaster-place, the lady of C. Eastland Michele, esq., a son.

— At Clifford Lodge, Warwick, the wife of Arthur Annesley, esq., a dau.

22. At Edenhall, Cumberland, lady Musgrave, a daughter.

24. The wife of Robert Stewart, esq., M.P., a daughter.

25. At Gosford, Ottery, the lady of sir H. Fennington, bart., a daughter.

26. At Spring Hill, Stockport, the wife of colonel Thomas, C.B., and M.P., a son.

27. At Venice, the lady of the baron Hector Testaferatta Abela, a dau.

28. At Newbottle Abbey, Dalkeith, the marchioness of Lothian, a son.

— In Brunswick-square, the lady of Henry Cheape, esq., a daughter.

— At Lamley Lodge, Richmond, the wife of the rev. Charles Lawson, a daughter.

Lately. In Ireland, the viscountess Avonmore, a daughter.

— Lady Emily Richardson, a son and heir.

— The wife of Dr. Hook, vicar of Leeds, a son.

— At Harmsworth House, Haats, lady Eliz. Thackeray, a daughter.

— At Pentanole, Radnorshire, the wife of H. Lingen, esq., high sheriff, a son and heir.

— At Vaynor Park, Montgomery-

BIRTHS.

shire, the lady of sir F. Knowles, bart., a daughter.

OCTOBER.

2. At Bishop's Caundle, the lady of Somerville Digby, esq., a son.

5. In Whitehall Place, lady Rennie, a daughter.

— At Aldbury, the lady of the rev. James Galloway, a daughter.

— At Dalhousie Castle, near Edinburgh, the countess of Dalhousie, a daughter.

6. At Baldovan House, the lady Jane Ogilvy, a son.

— At the Vicarage, Chieveley, Berks, Mrs. J. E. Robinson, a son.

— At the Under Secretary's Lodge, Phoenix Park, Dublin, Mrs. Drummond, a daughter.

8. At Upper Tooting, the wife of colonel Stover, a son.

— At Dinton Wilts, the wife of W. Wyndham, jun. esq., a son.

— At Malta, the lady of Richard Hammer Bunbury, esq., commander, R.N., a son.

11. At Leamington, the wife of the honourable captain Somerville, R.N., a son.

12. At Forest Lodge, Berks, the wife of A. W. Wykeham, esq., a son.

— At Bandon, the lady of lieutenant-col. St. John Clerke, K.H., a daughter.

13. The wife of Edmund Jerningham, esq., a daughter.

15. At Whatcroft Hall, Cheshire, the wife of G. Shakerley, esq., a son.

— The wife of Henry Hippisley, esq., of Lamborne-place, Berks, a son.

16. In Dover-street, lady Jemima Eliot, a son.

— At Mote Park, the lady Crofton, a daughter.

17. In Upper Harley-street, the hon. Mrs. Hall, a son.

— At Myton House, Warwick, the wife of C. M. Caldecott, esq., a dau.

18. At Hope Hall, Wetherly, the lady of the rev. Christopher W. Wilkinson, a daughter.

— At Ampthill, Bedfordshire, the wife of Andrew Hamilton, esq., a son and heir.

19. At Rome, the lady of James W. Scarlett, esq., a son.

20. At St. Giles's, Dorsetshire, lady Harriet Corry, a daughter.

VOL. LXXXI.

— At the Castle, Parsonstown, lady xmantown, a daughter.

— At the Node, the wife of F. Harford, esq., a daughter.

— At Whitehall Gardens, her grace the duchess of Buccleugh, a son.

21. At Eaglehurst, near Southampton, the countess of Cavan, a son and heir.

— At Slough, the wife of sir John Herschell, bart., a daughter.

23. At Strathallan Castle, Perthshire, the lady of the hon. William Drummond, a son and heir.

— At Sudbrooke Park, Surrey, the lady Louth, a daughter.

— At Ilfracombe, the wife of F. Freeling, esq., a son.

— At Williamstrop Park, Gloucestershire, the wife of sir M. Hicks Beach, bart., a daughter.

— At Somerset House, Cheltenham, the lady of major Roberts, Bengal artillery, a daughter.

24. At Snarebrook, Essex, the lady of Charles Tebbut, esq., a son and heir.

25. The countess Albizzi, a son.

— In Dean-street, Southwark, the wife of G. R. Corner, esq., F.S.A., a son.

— At Cheltenham, the wife of James Hunter Hulme, esq., a daughter.

29. At Wilton House, the countess of Clanwilliam, a son.

30. At Ramsgate, the wife of the hon. Charles Langdale, esq., M.P., a daughter.

Lately. At Frankfort, the lady of the hon. and rev. Henry Bridgeman, a daughter.

— The wife of major-gen. Webster, a son.

— At Wear Gifford, the wife of the hon. G. R. W. Trefusis, R.N. a son.

— At Swords, the hon. Mrs. Howard, a son.

— At Ham Court, Worcester, Mrs. H. Shirley, a son.

— In Gloucester-place, lady Helena Cooke, a daughter.

NOVEMBER.

6. At Dale Park, Sussex, the lady of lieutenant-col. Gascoigne, a daughter.

— At Bicester House, the viscountess Chetwynd, a son.

6. At Corfu, the wife of the hon.

U

BIRTHS.

29. At Pierremont, Isle of The
the lady Frances Fletcher, a daughter.

30. At Colchester, the wife of
Edw. Blair, esq., K.C. and V.
and heir.

SEPT.

1. The 1st
Bengal ar

— At

T. May

3.
wife

the wife of Am-
of St. Peter's

the wife of sir Beres-
a son and heir.

the lady of Henry
of Woolly, Wiltshire,

Lodge, the hon. Mrs.

At Dunmow, Essex, Mrs. Henry

Majendie, a daughter.

At East Sheen, the widow of the

late Andrew Henry Poulett Thomson,
of Court Garden, Marlow, a

12. At Chelsea, the wife of James

Alexander, esq. of Dunfermline, a

daughter.

13. The wife of John Booth, esq., of

Glendon Hall, Northamptonshire, a

daughter.

— In Connaught-place West, lady

Freeling, a son.

— At Hillingdon House, the lady of

captain George Campbell, Grenadier

Guards, a son.

14. The lady of the rev. Henry Corn-
wall Legh, of High Legh, Cheshire, of

twins—a son and daughter.

— At Blyth Hall, the lady of William

Stratford Dugdale, Esq. M.P., a daugh-
ter.

15. The lady of the hon. W. E. Fitz-
maurice, 3d Life Guards, a son.

— At Edinburgh, the lady of Alex-
ander M'Neill, esq., younger, of Collon-
say, a son.

16. At Dorchester, the wife of lieut-
col. Vandeleur, a son.

17. In the Close, Salisbury, the lady

of John Mills, esq., of Bisterne, a son.

18. At Kidbrooke, Sussex, the lady

Colchester, a daughter, still-born.

20. At the house of her father, Joshua

Bates, esq. in Portland-place, the lady

24. At Naples, the right hon. lady de
Tabley, a daughter.

— At Credenhill Court, Hereford-
shire, the wife of J. E. Eckley, esq., a
daughter.

— The wife of the rev. F. J. Courtenay,
rector of North Bovey, Devon, a son.

25. At Cambridge, the wife of the

rev. W. Hodgson, D.D. master of St.
Peter's College, a son.

26. At his residence, Hyde-park-
place west, the lady of Thomas Noel

Harris, esq., a daughter.

— In Upper Harley-street, the lady

of Edward John Rudge, esq., a son.

— At Edinburgh, the lady of sir

William Scott, bart., of Ancrum, a
daughter.

— At Morley rectory, near Wymond-
ham, Norfolk, the lady of the rev. C.

Beauchamp Cooper, a son.

28. At Walthamstow, the lady of the

rev. Lewis Deedes, a son.

— At Braham Castle, Ross-shire,
N.B., the lady of S. M. Boulderson, esq.,
a son.

— At Sandwell, Staffordshire, the

countess of Dartmouth, a son.

— At the Bury, Chesham, Bucks,
the wife of William Lowndes, esq., a
daughter.

29. In Portland-place, the lady of

C. G. Du Pre, esq. M.P., a daughter.

30. At Drayton Parslow rectory, the

lady of the rev. Samuel Wright, a son.

— At Oggs Castle, the lady of A. T.

Blackwood, esq., a son.

— At Montreal, near Sevenoaks, the

viscountess Holmesdale, a son.

— At Somerton, Somersetshire, the

lady of captain W. V. Hewett, a son.

DECEMBER.

1. The wife of the rev. Gilbert Alno-
worth, D.D. master of Pembroke Coll.

Cambridge, a son.

— At Devonshire-place House, Mrs.

Henry Moreton Dyer, a daughter.

4. In Upper Grosvenor-street, the

lady of James Weir Hogg, esq., a son.

5. The wife of the rev. Dr. Cardwell,

principal of St. Alban's Hall, Oxford, a
daughter.

— The wife of the Rev. R. Pretymann,
rector of Middleton Stoney, a son.

— At Paris, the lady of Richard

Brinsley Sheridan, esq., a daughter.

7. At Edinburgh, the wife of H. J.

MARRIAGES.

esq., of Lilburne Tower,
 — — — — —, the wife of James
 Buller, esq., a son.
 — — — — —, the lady of the rev. C. J. Good-
 minister of St. Mary's chapel,
 — — — — —, a daughter.
 8. At Melbury-terrace, the lady of the
 rev. Henry Taylor, a son and heir.
 — A few days since, Mr. Robert
 Shelley, of Croxton, near Eccleshall,
 three children, two girls and a boy.
 — A few days since, at Eston Cleve-
 land, Margaret Harrison, wife of a
 labouring man, three sons.
 — Lady Grey, the wife of sir Charles
 Edward Grey, a daughter.
 9. At Temple Densley, Herts, the
 lady of Thomas Plumer Halsey, esq., a
 son and heir.
 — At Longfleet, Dorset, the lady of
 Mout.-colonel P. W. Pedler, a daughter.
 — At Munster House, Fulham, the
 lady of John Laurie, esq., a son.
 — In Charles-street, Berkeley-square,
 the countess of Craven, a daughter.
 10. At Spy Park, the wife of J. E.
 Starkey, esq., a daughter.
 11. At Oakley Park, lady Harriet
 Clive, a daughter.
 — In Devonshire-place, the wife of
 William Selby Lowndes, Jun., esq., a
 daughter.
 12. At Takeley vicarage, Essex, the
 lady of the rev. Charles Clarke, a son.
 14. At Lisbon, lady Howard de Wal-
 den, a son.
 15. At the marquess of Downshire's,
 Hanover-square, lady Mary Hood, a son.
 16. At Ham, Surrey, the lady of W.
 James, esq., M.P., a son.
 — At West Alvington, Devon, the
 lady of the rev. Douglas Macdonald, a
 daughter.
 18. At Hanover-street, Hanover-sq.,
 the lady of the rev. Robert Lovett, a
 daughter.
 20. At Calke Abbey, Derbyshire, the
 lady of sir George Crewe, bart. M. P., a
 daughter.
 — At Lewknor vicarage, the lady
 Caroline Garnier, a daughter.
 21. At Clifton, the lady of Seignalay
 Thomas Cuthbert, esq., a son and heir.
 — At Pickenham, Norfolk, the lady
 of W. W. Chute, esq. M.P., a son.
 24. At Streatham, the wife of S. Jas-
 per Blunt, esq., a daughter.
 25. At Crocombe rectory, Somerset,
 the lady of the rev. W. P. Purvis, a dau.

25. At Naples, the marchioness of
 Sligo, a daughter.
 — At Watton, Herts, the lady of the
 rev. B. Street, a daughter, still-born.
 27. In Upper Gower-street, the lady
 Charles Darwin, esq., a son.
 — At the rectory, Leigh, the lady of
 the rev. Robert Eden, a son.
 — At Scott's Hill House, Herts, the
 lady of lieutenant-colonel Bradford, a son.
 — In Upper Brook-street, the lady
 Mary Farquhar, a son, who survived
 only a short time.
 31. At Edinburgh, the lady of Philip
 Anstruther, esq., colonial secretary in
 Ceylon, a daughter.
 — In Grosvenor-street, the lady of
 Dr. Latham, a son.
Lately. In Dorset-square, the wife of
 the hon. William Stourton, a daughter.
 — At Trematon Hall, Cornwall, the
 wife of captain J. Jervis Tucker, R. N.,
 a daughter.
 — At Capernway Hall, Lancashire,
 the wife of George Marton, esq. M.P.,
 a son and heir.

MARRIAGES.

1839.

JANUARY.

1. At Marylebone Church, H. Rieh-
 ardsen, esq., to lady Emily Kerr, sixth
 daughter of lord Mark Kerr.
 2. At Brussels, count Louis Vander-
 burch, to Emma, eldest daughter of
 J. B. Lonsader, esq.
 — At Wicklow, James Edwards,
 esq., of Friar's Hall, in that county, to
 Frances, youngest daughter of the late
 colonel Maingay.
 5. At Bolam, Northumberland, the
 rev. Andrew Corbett, rector of South
 Willingham, Lincoln, to Marianne,
 fourth daughter of the late sir Matthew
 White Ridley, bart., of Blagdon, North-
 umberland.
 6. At St. George's, Hanover-square,
 the rev. Edmund Holland, of Benhall
 Lodge, Suffolk, to Isabella Esther,
 youngest daughter of the rev. sir John
 Robinson, bart., of Rokeby Hall, county
 Louth.

MARRIAGES.

7. At St. James's, Westminster, Carlisle Rowland Ebrington, esq., second son of sir Thomas Massey Stanley, bart., of Hootan, Cheshire, to Julia, eldest daughter of lieutenant-general sir John Macdonald, adjutant-gen. of the forces.

15. At Naples, the queen dowager of the two Sicilies, to the chevalier de Balzo, colonel of the royal lancers.

— At Putney Church, the rev. F. A. Massingberd, rector of South Ormsby, Lincolnshire, to Fanny, eldest daughter of the late William Baring, esq.

16. At All Souls' Church, Marylebone, the rev. H. E. Cobden, M.A., vicar of Charlton, Wilts, to Emma, elder daughter of sir George Carroll, of Cavendish-square, and Loughton, Essex.

17. At St. George's, Hanover-sq., William Graham, esq., of Firth Castle, Stirlingshire, to Elizabeth, youngest daughter of the late sir Alex. Anstruther, of Third Park, county Fife.

22. At East Grinstead, the rev. J. Ward, B.A., fellow of New College, Oxford, to Mary Georgiana, eldest dau. of George Raikes, esq., of Felbridge Park, Surry.

— At Binfield, the rev. S. Botry Pigott, third son of P. Pigott S. Conant, esq., of Archer Lodge, Hampshire, to Eliza Mac Mahon, youngest daughter of the late lieutenant-general sir Francis J. Wilder, of the Manor House, Binfield, Berkshire.

24. At Dorney, Bucks, James, only son of sir James Nicoll M'Adam, of Whitehall and Tendon End, Essex, to Angelica, eldest daughter of Philip Palmer, esq., of Dorney Wood.

29. At Edinburgh, Edward Heathcote Smith, esq., capt. in the 76th regiment, youngest son of sir John Wyldbore Smith, of the Down House, Dorset, to Christina, eldest daughter of William Mackintosh, esq., of Geddes, Nairn.

31. At Belle Vue, Jamaica, lieutenant-col. C. W. H. Fitzgerald, K.T.S., second West India regiment, to Sarah, daughter of the hon. P. Brown, of the Bahama Islands.

FEBRUARY.

2. At St. Mary's, Bryanstone-square, Algernon, second son of Samuel Hicks, esq., of Henrietta-street, Cavendish-sq., to Anne countess of Waldegrave, widow of the late earl of Waldegrave.

— *Lately* at Bombay, John Williams, esq., civil service, to Elizabeth, dau. of William Boswell, esq., sheriff of Berwickshire, and grand-daughter of James Boswell, esq., of Auchinleck, Johnson's biographer.

— At Youghal, captain Chas. C. Dent, R.N., to lady Selina Hastings, sister of the earl of Huntingdon.

— The rev. Walter Burgh, rector of Naas, county Kildare, to Elizabeth, dau. of archdeacon Langrishe.

— At St. Marylebone Church, John T. H. Blohm, esq., of Stocklesdorf, near Lubeck, to Georgiana Jamesina Somerset, youngest daughter of vice-admiral sir Henry Heathcote.

— At St. Mary's Islington, John Ballantine, esq., Edinburgh, to Frances, second daughter of Robert Barclay, esq. Islington.

7. At Knockbreds, Downshire, John Neilson Gladstone, esq., lieutenant R.N., third son of John Gladstone, esq., of Carlton gardens, and Fasque, Kincardineshire, to Elizabeth H. Bateson, second daughter of sir Robert Bateson, bart., M.P., of Belvoir Park, and Moira, Downshire.

— At Laxton, the rev. Augustus Otway Fitzgerald, B.A., rector of Liedborough, Notts, son of sir Robert Fitzgerald, K.C.H., to Sarah Anne, only child of the rev. Richard Procter, M.A., vicar of Laxton, in the same county.

— At Hamble, near Southampton, John Henry Campbell, esq., only son of colonel Campbell, of Exton, Hants, and Dunoon, Argyleshire, to Urania Mary Ann, only daughter of the late colonel Kingston, and the dowager marchioness of Clanricade.

9. At St. George's, Hanover-square, Henry Hippisley, esq., of Lambton Place, Berks, to Elizabeth Agnes, only daughter of the rev. John Nelson, M.A., prebendary of Heytesbury, &c.

12. At St. George's, Hanover-square, his excellency Sylvain Van de Weyer, envoy extraordinary and minister plenipotentiary from the king of the Belgians, to Elizabeth, only daughter of Joshua Bates, esq., of Portland-place.

14. At Mansfield Woodhouse, Notts, colonel Hodder, of Hoddersfield, Cork, to Lucy, eldest daughter of col. Need.

15. At Malta, Walter Elliot jun. esq., of Wolflee, Roxburghshire, to Maria Dorothea, eldest daughter of sir David Hunter Blair, bart.

MARRIAGES.

16. At Paris, Wyndham Stanhope, esq., nephew of the earl of Harrington, to Elizabeth Still, eldest daughter of R. L. Pearsall, esq., of Carlsruhe.

19. At St. James's Church, R. R. Torrens, esq., son of colonel Torrens, to Barbara Anson, widow of the late lieutenant George Augustus Anson, 11th light dragoons.

25. Capt. the hon. Henry Keppell, R.N., fourth son of the earl of Albemarle, to Miss Crosbie, daughter of general John Crosbie, G.C.H.

Lately. At Clontarf, Dublin, W. H. Grome, esq., Sackville-st., to Frances, daughter of sir Edward Stanley, of Rosevale, Dublin.

MARCH.

2. At Hurley Church, J. J. Wakehurst Peyton, esq., of Wakehurst Park, Sussex, and lieutenant in the 2d Life Guards, to Marianne Gilberta, eldest daughter of sir East Clayton East, of Hall Place, Berks, bart.

4. At Trinity Church, Marylebone, Andrew, only son of Mr. Buchanan, and first attaché to her majesty's embassy at the court of Russia, to Frances Katherine, only daughter of the late very rev. Edward Mellish, dean of Hereford.

5. At All Saints', Southampton, Fred. Bayard Elton, esq., of the Madras civil service, youngest son of the late T. Elton, esq., of Stapleton House, Gloucestershire, to Mary Elizabeth, daughter of E. A. Elton, esq., of Cleveland Court, Somersetshire.

— At Kimpsey Church, Albert Hudson, eldest son of Clement Royds, esq., of Falinge, Lancaster, to Susan Eliza, only child of Robert Nutall, esq., of Kimpsey House, Worcestershire.

— At Sutton-at-Hone, Kent, Mumford Campbell, esq., of Sutton-place, to Frances Sarah, eldest daughter of J. Baker Graves, esq., of Somerset, county Wexford, and granddaughter of the late Robert Bellew, esq., of Ballendinas, county Cork.

11. At Sidmouth, Lauriston Kneller, esq., son of J. G. Kneller, esq., late of Donhead Hall, Wilts, to the hon. Maria St. John, eldest daughter of the right hon. lord viscount Bolingbroke.

11. At Grundisburgh, Suffolk, Stephen Edmund Spring Rice, esq. eldest son of the right hon. the chancellor of the ex-

chequer, to Ellen Mary, eldest daughter of the late Mr. Sergeant Frere, master of Downing College, Cambridge.

— At St. George's, Hanover-square, Richard H. Levinge, esq. grandson of the late sir R. Levinge, bart. to Ellen, daughter of the late T. C. Faulconer, esq. of Newhaven.

12. At Keswick, the rev. Thomas Hill, to Miss Bertha Southey, the daughter of the poet laureate.

16. At Gourock-house, Renfrewshire, George Rainy, esq. of Liverpool, to Margaret Janet Louisa, youngest daughter of lieutenant-general Darroch, of Gouroch and Dairs.

— In Cumberland-place, the hon. Edward Butler, lieutenant of her majesty's hon. corps of gentlemen at arms, and son of the right hon. lord Dunboyne, to Emma Jane, only child of Arthur Bailey, esq. of Cumberland-place, Regent's-park.

19. At Cossington, Somersetshire, William Dowdeswell, esq. M.F. eldest son of John Edmund Dowdeswell, esq. of Pull Court, Worcestershire, to Amelia Letitia, youngest daughter of the late Robert Graham, Esq. of Cossington-house.

23. At Fareham, captain Edward Leveson Gower, rifle-brigade, to Frances Cecilia, daughter of the late Dr. Powell.

— At St. George's, Hanover-square, viscount Duncan, M.P. son of the earl of Camperdown, to Juliana Cavendish, eldest daughter of G. R. Phillips, esq.

31. At Leamington Spa, William Blount, esq. of Orleton, Herefordshire, and Cumberland-street, London, to the lady Charlotte Jane St. Maur.

APRIL.

2. At Cheshunt-church, William Smyth, esq. eldest son of the rev. sir Edward Smyth, bart. of Hill-hall, Essex, to Marianne Frances, second daughter of sir Henry Meux, bart. of Theobald's-park, Herts.

3. At Tournay, Edmund Joseph de Lossy, Esq. to Frances Charlotte Elizabeth eldest dau. of sir Henry Thomas Oakes, bart.

4. At Patshull, Staffordshire, the rev. Charles Grey Cotes, Rector of Stanton St. Quintin, Wilts, to Fanny Henrietta, daughter of sir George Pigot, bart.

— At Prestbury, near Cheltenham,

MARRIAGES.

Henry Stopford Kyle, of Lincoln's-inn, esq. barrister-at-law, third son of the bishop of Cork and Cloyne, to Julia Esther, second daughter of Andrew Green, esq. of Cocker-mouth.

At Rome. at the earl of Shrewsbury's palace in the Corso, prince Doria Pamphili, to lady Mary Talbot.

9. At St. James's, Westminster, the rev. Henry Octavius Coxe, M.A. to Charlotte Esther, youngest daughter of gen. sir Hilgrove T. Turner, G.C.H. &c.

— At the chapel of the Charter-house, John Frederick Pike, esq. of Bedford-square, London, and Ramridge, Hants, to Dorothea Fisher, of Sibton Abbey, Suffolk, eldest daughter of the late bishop of Salisbury.

— At St. George's, Hanover square, captain Alfred Hill, son of sir Robert Hill, to Miss Howard, daughter of the earl of Kilmory.

10. Count Henry de Castellane, eldest son of lieutenant-general count de Castellane, to Mademoiselle de Dino, dau. of the duchess de Dino.

— At All-souls, Langham-place, C. A. Lushington, Esq. to Sarah, relict of Wm. Camac, esq. of Mansfield-street, and Hastings, Sussex.

11. The rev. Charles Long, nephew to lord Lauderdale, to Anna Maria, daughter of sir Robert Wigram, bart.

— At Bolton-by-Bowland, Yorkshire, the rev. Willoughby J. E. Rooke, second son of major-general sir Willoughby Rooke, C.B. and K.C.H. to Caroline, youngest daughter of the late Anthony Littledale, esq.

— At Paris, the chevalier Antoine de Satge, youngest son of Cosme baron de Satge, to the hon. Harriett Rowley, daughter of the dowager lady Langford.

16. The rev. Granville J. Granville, to Marianne, fifth daughter of sir Grey Skipworth, bart. of Newbold-hall.

— At Upham, Hants, Walter Jervois Long, esq. eldest son of Walter Long, of Preshaw-house, Hants, esq. to Emily Jane, eldest daughter of Edward Morant Gale, of Upham, Hants, Esq.

— At Bamburgh, Thos. Tancred, esq. eldest son of sir Thomas Tancred, bart. of Egypt-house, Isle of Wight, to Jane, third and youngest daughter of Prideaux John Selby, esquire, of Twizell-house, Northumberland.

— At South Warnborough, Hants, John Locke, esq. son of the late Wadham Locke, esq. of Rowdeford-house, Wilts,

to Frances Augusta, eldest daughter of T. M. Wayne, esq.

17. At St. Peter's, Byranstone-square, major Campbell, of Melfort, Argyleshire, to Miss Louisa Ricketts.

18. At St. George's, Hanover-square, Arthur Marquis of Douro, to lady Elizabeth Hay, fourth daughter of the marquis of Tweeddale.

22. At St. George's, Hanover-square, sir John Blunden, bart. of Castle Blunden, County Kilkenny, to Eliza, third daughter of the late John Knox, esq. of Dominick-street, Dublin.

25. John Orde, fourth son of sir F. M. Ommaney, to Susanna, eldest daughter of John M'Taggart, esq. M.P. of Manchester-square, and of Ardwell, Wigtownshire, N.B.

27. At Leamington, John Eardley, eldest son of sir Eardley Wilmot, bart. M.P. to Eliza Martha, daughter of the late sir Robert Williams, bart.

— At St. Mary's, Byranston-square, William Miller, esq. of the 12th royal lancers, grandson of sir William Miller, bart. lord Glenlee, to Emily, daughter of lieutenant-general sir Thos. M'Mahon, bart. K.C.B.

29. The hon. Henry Fitzroy, M.P. to Hannah Mayor, second daughter of the late baron N. M. de Rothschild.

— At Chelsea, John Henniker, esq. of Compton Martin, to Mary, daughter of Edward Wilson, esq.

30. At Brighton, lieutenant-colonel Chesney, royal artillery, to Everilda, second daughter of general sir John Fraser, G.C.H.

— At St. Luke's, Old-street, Percival White, esq. of Clapham, to Eliza Wilson, youngest sister of the bishop of Calcutta.

— At St. John's, Paddington, Henry Tremenhere, esq. of the Middle Temple, barrister-at-law, to Eliza Caroline, only daughter of Francis Pierard, esq. late district judge in the presidency of Bengal.

MAY.

4. At Brixham, William Froude, esq. second son of the venerable archdeacon Froude, to Catherine H. G. youngest daughter of Arthur H. Holdsworth, esq. of Widdicombe and Brook-hill, Devon.

— At St. George's, Bloomsbury,

MARRIAGES.

R. H. Graham Foster Pigott, esq. son of the late colonel Graham F. Pigott, M.P. for Kinross, to Ellen, eldest daughter of the late colonel Ogle, of Brixtable-lodge, Surrey.

— At Castlebar, co. Wexford, the rev. Yarbrough Gamaliel Lloyd, incumbent of Rawcliffe and Whitgift, co. York, to Editha, youngest daughter of the late A. W. Le Hunte, esq. of Artamont, co. Wexford.

8. At White Waltham, Lambert, son of Charles Pole, esq. of Wyck-hill-house, Gloucestershire, to Anna, daughter of the rev. Henry Pole, of Waltham-plade, Berkshire.

— At Baschurch, Shropshire, W. W. E. Wynne, esq. of Peniarth, Merioneth, to Mary, second daughter of Robt. Aglionby Slaney, esq. M.P. of Hatton-grange, and Walford Manor, Salop.

Lately, at St. Clement Danes, Frederick, son of Joseph Cripps, M.P. for Cirencester, to Letitia, daughter of the late Gerard Berkeley Napier, esq. of Pennard-house, Somerset.

9. At Cheltenham, the rev. Charles Ford, M.A. brother of the late sir Francis Ford, bart., rector of Billingsford, Norfolk, to Catherine Juliana, eldest dau. of the late Henry Stuart, esq. of Cotman-house, Sidmouth.

— At All Souls' Church, Langham-place, captain Francis Hugh George Seymour, of the fusilier guards, eldest son of captain sir George Seymour, R.N. to lady Emily Mary Murray, youngest daughter of the earl of Mansfield.

11. At St. George's, Hanover-square, John Rowland Smyth, esq. captain in the 6th dragoon guards, to the hon. Catherine Alice Abbott, youngest dau. of the late Lord Tenterden.

16. At Wortley, near Sheffield, Joshua, third son of Joshua Scholefield, esq. of Birmingham, M.P. to Susan, daughter of archdeacon Corbett.

— At St. George's, Hanover-square, the hon. Henry Spencer Law, brother of lord Ellenborough, to Dorothea Anne, eldest daughter of colonel Rochfort, of Clontarney, Carlow.

— At Upton, the rev. Robert Pol-whale, Incumb. of Penley, Flintshire, to Emily Christiana, youngest daughter of lieutenant-colonel Pigott, of Slevey Castle county Wexford.

21. At St. Michael's, Highgate, H. T. G. Fitzgerald, esq. only surviving son of colonel Fitzgerald, of Masperton

House, Somerset, and of Turlough, co. Mayo, Ireland, to Elizabeth Harriot, eldest daughter of the rev. S. Wildman Yates, vicar of St. Mary's, Reading.

Lately, at St. George's, Hanover-sq. Edmund H. K. Lacon, esq. eldest son of sir E. K. Lacon, bart. of Ormesby Hall, Norfolk, to Eliza, daughter of the late James E. Hammet, esq.

22. At St. George's, Hanover-square, Major-gen. sir Edward Bowater, R.C.H. of Hampton-court, to Emilia Mary, daughter of the late Michael Barne, esq. of Sotterly and Dunwich, Suffolk.

— At Cheltenham, J. de Courcy Dashwood, esq. R.N. son of sir Charles Dashwood, to Henrietta, daughter of the late S. G. Barrett, esq.

— At Soberton, Hants, P. Rainier, esq. son of the late admiral Rainier, to Matilda, daughter of col. Newhouse, late R. A.

— At Worfield, Salop, John James, esq. of Newnham, Gloucestershire, to Charlotte, daughter of captain Wm. Pulteney Dana, of Roughton Hall, and grand-niece to the late lord Kinnaird.

23. At Alveston, Warwickshire, the rev. Florence James Weathered, M.A. vicar of Hurley, Berks, to Esther Ellen, daughter of the rev. G. H. Peel, of Avon cliff, Alveston.

— At Monkstown, Dublin, the rev. Joseph Dunnington, M.A. of Thicket Priory, Yorkshire, to Anna Mervynia, eldest daughter of the late lieutenant-general sir Henry Maghull Mervin Faronsoun, of Spaldington, and Melbourne Hall, Yorkshire, bart.

25. The hon. Mr. Waldegrave, brother to earl Waldegrave, to Miss Braham, eldest daughter of the veteran vocalist.

— At Southampton, captain Henry E. Doherty, of the 14th light dragoons, to Anne Eliza, second daughter of sir Henry Onslow, bart.

27. At Newtonbarry, the hon. F. Savile, R.A. son of the earl of Mexborough, to Antonia, daughter of the rev. William Archdall, of Tintern, Wexford.

28. J. S. Shortt, esq. lieutenant king's own, son of the late lieutenant-colonel Shortt, to Mary, daughter of vice-admiral sir T. Harvey, K.C.B. of Sholdon Lodge, Kent.

— At Clifton Campville, Staffordshire, sir T. G. le Marchant, K.C.S.F. and K.S.C. major 99th regiment, to Mar-

MARRIAGES.

garet Anne, third daughter of the rev. Robert Taylor, M.A. rector of Clifton Campville.

— At Marylebone, J. R. Tennant, of Chapel House, York, esq., to Frances Mary, second daughter of Matthew Wilson, of Eshott Hall, esq.

29. At the seat of the lady's family, in Leicestershire, the duke of St. Alban's to Miss Gubbins, daughter of general Gubbins.

30. At Ovington, Hants, Frederick baron Von Zandt, chamberlain of his majesty the King of Bavaria, to lady Dyer, of Ovington, widow of the late lieutenant-general sir Thomas Richard Dyer, bart.

Lately, William John Waldron, esq. of Balla Lodge, Mayo, to Louisa dau. of the hon. and very rev. George Gore, dean of Killala.

JUNE.

1. At St. Margaret's, Westminster, Charles Hindley, esq. M.P. to Anne, only daughter of the late Richard Fort, esq. of Read Hall, Lancashire.

— At Walcot, Bath, the rev. F. Luttrell Moysey, to Arabella, daughter of the hon. John Petty Ward.

At Dublin, the hon. S. R. Maxwell, M.P. for Cavan, to Dorothea, youngest daughter of baron Pennefather.

— At Lyonshall, Robert, son of the rev. Joseph Higgins, rector of Eastnor, to Maria Augusta, niece of the late bishop of Killala, and second daughter of colonel Joshua Crosse, K. S. F.

4. At Gorbumbury, the seat of the earl of Verulam, the earl of Clarendon to the lady Catherine Barham.

— At Lingfield Church, Surrey, the rev. Thomas Hamer, to Mary, youngest daughter of the late general Burton.

— At Bode Church, Hampshire, Robert Southey, esq. poet laureate, D.C.L. to Caroline Anne, daughter of the late Charles Bowles, esq. of Buckland, North Lymington.

— At St. Mary's, Bryanstone-square, captain G. Hamond, son of the late W. P. Hamond, esq. of Haling-park, Surrey, to Mary, third daughter of the late L. W. Brouncker, esq.

5. The rev. Charles Currie, vicar of Tilney, Norfolk, to Diana Elizabeth, eldest daughter of the rev. C. E. Isham, rector of Polebrook, co. Northampton.

— Charles J. Helyar, esq. of Pound-isford Lodge, Somerset, to Charlotte Anne, youngest daughter of general Michel, of Dewlish House, Dorset.

6. At Milliken House, Renfrewshire, Robert Speir, esq., son of Robert Speir, esq., of Burnbrae, to Mary Milliken Napier, eldest daughter of sir William Milliken Napier, of Milliken and Napier, bart.

— At St. Mary's, Bryanstone-square, Ambrose Crawley, esq. E.I.C.S., to Corinna, daughter of W. H. Boys, esq., of Hawkhurst, Kent.

11. At St. James's, captain Flower, Bengal army, to Julia, eldest daughter of major Forester, and grand-daughter of the duke of Cleveland.

12. At Stow-on-the-Wold, Gloucestershire, the rev. L. E. Dryden, vicar of Leke Wotton, Warwick, the eldest surviving son of the late sir John Dryden, bart., of Canons Ashby, Northamptonsh. to Emily, daughter of the Rev. R. F. Vavasour, rector of Stow-on-the-Wold.

13. At Banford, G. C. Healey, esq., of Little Limber Grange, in the county of Lincoln, to Elizabeth, eldest daughter of John Henton, esq. M. P. of Crimble House, Lancashire.

18. At St. George's, Hanover-square, Sir Joseph Henry Hawley, of Leybourne Grange, Kent, bart., to Sarah Diana, third daughter of gen. sir John Crosbie, G. C. H. of Watergate, Sussex.

— At Paris, John Lees, esq., eldest son of the rev. sir H. Lees, bart. of Blackrock, Dublin, to Maria Sullivan, granddau. to the late sir R. Sullivan, bart.

— At All Souls', Langham-place, Charles Knox, esq., only son of colonel Knox, of Rappa Castle, Mayo, to the lady Louis Browne, eldest daughter of the marquess of Sligo.

— At Fakenham, Suffolk, Henry Wilson, esq., of Stowlingtoft Hall, to Caroline, only daughter of the late lord Henry Fitz-Roy, and niece of the duke of Grafton.

19. At St. Mary's, Bryanstone-square, Lord Fitzalan, eldest son of the earl of Surrey and grandson of the duke of Norfolk, to Augusta M. M. C. Lyons, daughter of sir Edmund Lyons, K.C.H. minister plenipotentiary to the king of Greece.

22. At St. George's, Hanover-square, Joseph Bailey, jun. esq. M.P., eldest son of Joseph Bailey, esq. M.P., of Glasnost Park, Herefordshire, to Elizabeth Mary,

MARRIAGES.

only child of W. C. Russell, Esq., of Leamington, high sheriff for the county of Worcester; and at the same time, James Greenfield, esq., of Rydd-Gaer, Anglesea, high-sheriff of the same county, to Margaret, second daughter of Joseph Bailey, esq. M.P.

24. At St. Dunstan's-in-the-west, W. R. Ellis, esq. M.A. of the Inner Temple, barrister-at-law, only son of sir William C. Ellis, M.D. of Southall Park, Middlesex, to Harriet Warner, only daughter of J. S. Elliott, esq., of Denmark-hill, Camberwell.

25. At St. Giles-in-the-fields, the rev. G. A. Selwyn, fellow of St. John's college, Cambridge, to Sarah Harriet, only daughter of sir John Richardson, late one of the justices of the Court of Common Pleas.

Lately. At Littlebredy, Dorset, the rev. J. H. Woodward, of St. James's, Bristol, to Olivia, daughter of the rev. J. W. Cunningham, vicar of Harrow-on-the-hill.

— At Norwich, E. Baker, esq., son of sir R. Baker, of Montague-place, Russell-square, to Elizabeth, daughter of S. Baker, esq. of Knapton, Norfolk.

25. At Knole, in Kent, the earl Amherst to Mary, countess dowager of Plymouth.

26. At Leamington, the earl of Buchan to Caroline Rose, youngest daughter of the late J. P. Maxwell, esq. of Harley-st.

27. At St. George's, Hanover-square, the rev. R. L. Cotton, D.D., Provost of Worcester college, Oxford, to Charlotte Bouverie, youngest daughter of the late hon. Philip Pusey.

— At Moness House, Abersfeldy, Perthshire, W. H. Unwin, Esq., of Sutton, Nottinghamshire, to Sarah Rosanna Small, of Bedford-place, Russell-square, daughter of the late Alex. Small, esq.

— At St. George's, Hanover-square, the lord bishop of Salisbury to Louisa, second daughter of the late Henry Ker Seymour, esq., of Hanford, in the county of Dorset.

JULY.

4. At St. George's, Hanover-square, Francis Bacon, esq. barrister-at-law, to Fanny H. S. only daughter of Horace Twiss, esq. queen's counsel.

6. At St. George's, Hanover-square, the hon. Mr. Vanneck, eldest son of

lord Huntingfield, to Miss Arcedeckne, daughter of Andrew Arcedeckne, esq.

8. At Putney Church, Sir John Murray Nasmyth, bart. of Peebles-shire, N.B. to the hon. Eleanor Powys, second dau. of the late and sister of the present lord Lilford.

10. At Pitfirrane, Fife, Robert H. S. Jackson, esq., second son of the late lieutenant-general Jackson, to Elizabeth, youngest daughter of admiral Sir Peter Halkett, of Pithrane, bart. G.C.H.

— At St. George's Church, Sir Thos. Whichcote, bart. to Miss Beckett, niece of Sir John Beckett.

— At Betchworth, Surrey, the rev. Edward Hoare to Maria, only daughter of sir Benjamin C. Brodie, bart.

— At St. George the Martyr, Charles Rivington, esq., of Queen-street, to Emily, second daughter of W. C. Mylne, esq. of New River Head.

12. At St. George's, Hanover-square, T. A. W. Parker, esq. M.P. for Oxfordshire and son of the hon. col Parker, of Ensham Hall, in the same county, to Henrietta, youngest daughter of Edmond Turnor, esq., of Stoke Rochford and Panton, in Lincolnshire.

16. At Ardwick, near Manchester, Edwin Chadwick, esq. of the Inner Temple, sec. to the poor-law commission, to Rachel Dawson, fifth daughter of John Kennedy, esq., of Ardwick House.

— At St. George's, Hanover-square, Henry William des Vœux, esq., only son of sir Charles des Vœux, bart. to the lady Sophia Greisley, widow of the late sir Roger Greisley, bart. and daughter to the late earl of Coventry.

— At Edgehill, Liverpool, Patrick Chalmers, esq. M.P., Auldbar, Forfarshire, to Jesse Anna Letitia, widow of the late T. T. Vernon, esq., of Hanbury Hall, Worcestershire.

18. At York, the hon. John Jocelyn to Emily, second dan. of Henry Thompson, esq., of Holgate Lodge.

— At St. James's Church, F. G. Campbell, esq., of Troup House, Banffshire, and Glenlyon, Perthshire, to Georgina Anne, eldest daughter of the late W. P. Brigstock, esq. M.P.

— Sir Robert H. Kennedy, K. C. H. to Anna Maria, widow of the late Robert Hillingsford, esq.

20. At Blunham, James E. Everard, esq., of Congham, Norfolk, to Emma Isabella, youngest daughter of sir Peter Payne, bart. of Blunham House, Beds.

298 ANNUAL REGISTER, 1839.

MARRIAGES.

— At St. Mary's, Bryanstone-square, William Fletcher, esq. commander in the East India Service, to Mary Harriet, eldest daughter of Geo. Henri, Vicomte D'Amboise.

— At St. Nicholas Church, Newbury, Isabella Caroline Downing, daughter of the late capt. Downing and of Mrs. D'Arcy Irvine, of Castle Irvine, to the rev. A. H. Glasse, domestic chaplain to H.R.H. the duke of Cambridge.

23. At St. George's, Hanover-square, the rev. James Bedingsfeld, rector of Bedingsfeld, Suffolk, to the hon. Frances, youngest daughter of the late and sister of the present lord Henniker.

24. At Leamington, George Acklom, esq., second son of lieutenant-colonel Acklom, to Mariadne, eldest daughter of Robert Fellowes, esq., of Shottesham Park, Norfolk.

— At Calcutta, W. B. Jackson, esq., son of the late sir John Jackson, bart. M.P., to Maria, eldest daughter of lieutenant-col. D'Agullar, of the hon. E.I.C.S.

25. At St. James's Church, the hon. George Ponsonby O'Callaghan, second son of viscount Lismore, to Mary, second daughter of J. G. Norbury, esq.

— At St. George's, Hanover-square, Edward Sivewright, capt. 12th lancers, to Fanny Page, eldest daughter of sir John Crosbie, G.C.H., of Watergate, Sussex.

— At St. James's, Piccadilly, Henry L'Estrange Styleman L'Estrange, esq., of Hunstanton Hall, Norfolk, to Jamesina, youngest daughter of John Stewart, esq., of Belladrum, co. Inverness.

At St. John's Chapel, Edinburgh, Roderick Charles Macdonald, esq. of Castle Tioram, to Elizabeth, daughter of the late Glengarry.

— At All Souls', Marylebone, and at the French chapel, the count de Mont Real, to Theodosia, daughter of Samuel Crawley, esq. M.P.

26. At Bangor, Ireland, J. H. Ward, esq., commander R.N., son of the late right hon. Robert Ward, of Bangor Castle, to the hon. Elizabeth Dorcas Blackwood, daughter of lord Dufferin and Clarendon.

28. At St. George's, Hanover-square, Algernon G. Percy, eldest son of the bishop of Carlisle, to Emily, eldest daughter of the late right rev. R. Heber, bishop of Calcutta.

— At Keppleston, near Aberdeen, Thomas Innes, esq., advocate, second son

of William Innes, esq., of Rannoch, to Helen-Christian, daughter of Thomas Burnett, esq., advocate.

— At Debden-hall, W. T. Crosbie, esq., Ardert Abbey, Kerry, to Susan Ann, third daughter of the hon. L. M. P. Burrell.

30. At St. Mary's, Bryanstone-square, the rev. lord Arthur Hervey, to Patience, eldest daughter of John Singleton, esq.

— At Watford, Herts, the viscount Newry and Morne, son of the earl of Kilmorey, to Anne Amelia, eldest dau. of general the hon. sir Charles Colville, G.C.B.

31. At Tanbridge, the rev. H. W. Browne, M.A., fellow of St. John's College, Oxford, &c., to Caroline Bradford, eldest daughter of the rev. sir Charles Hardinge, bart., of Boundes Park, Kent.

— At Southampton, John Colmans, esq., of Fleak Castle, Kerry, to Catherine, second daughter of the late James Langdale, esq., of Lavender-hill, Surrey.

Lately. At Killmore, Robert H. Southwell, esq., of Castle Hamilton, to Charlotte, widow of F. L. Saville, esq., of Tickhill, daughter of the bishop of Killmore.

AUGUST.

1. At Kelvedon, Essex, by the bishop of London, the rev. John Frere, rector of Cottenham, and one of his lordship's domestic chaplains, to Jane, second daughter of the rev. Charles Dalton, vicar of Kelvedon.

— J. G. Phillimore, esq., eldest son of Joseph Phillimore, esq., D.C.L., to Rosalind Margaret, second daughter of J. L. Knight Bruce, esq., one of her majesty's counsel.

3. At St. George's, Hanover-square, the rev. George Mathias, B.A., St. John's College, Cambridge, to Charlotte Jane, eldest daughter of Edward Fletcher, esq., Corsock, Dumfriesshire.

7. At Randolph Crescent, Edinburgh, Archibald Gerard, esq., of Rochdale, to Euphemia, eldest daughter of sir John Robison, K.H.

10. The prince of St. Antimo, to Sarah Louisa, youngest daughter of the late admiral sir Richard Strachan.

— At Woolbekeing, Sussex, Sydney A. Capel, esq., of the 12th royal lancers, to the lady Emily Fitzhardinge Berkeley,

MARRIAGES.

youngest daughter of the late earl Berkeley.

— At Dublin, John Deane, esq., eldest son of sir Thomas Deane, of Dundanion, Cork, to Catherine, only dau. of George W. Creighton, esq.

12. The duke de Rovigo, to Miss Stamer, the heiress of Carnelly.

14. At Elstree, Henry Alexander, esq., son of the lord bishop of Meath, to the hon. Louisa Juliana Knox, dau. of viscount Northland.

— At St. George's, Hanover-square, the hon. Frederick Dudley Ryder, third son of the earl of Harrowby, to Marian Charlotte Emily, only child of Thomas Cockayne, esq., of Ickleford House, near Hitchin, Herts.

15. At St. George's, Hanover-square, the rev. lord Charles Hervey, son of the marquess of Bristol, to lady Harriot Ryder, daughter of the earl of Harrowby.

— At St. George's, Hanover-square, W. H. Ashurst, esq., of Waterstock, Oxon, to lady Mill, widow of sir Charles Mill, bart., of Bury House, Hants.

— At Portsea, the rev. Lancelot C. L. Brenton, only son of rear-admiral sir Jahleel Brenton, bart., K.C.B., to Anna Mary, daughter of the late major-general Chester.

— At Dublin, Edward O'Brien, third son of the late sir Edward O'Brien, of Drumoland, Clare, bart., to Louise, dau. of the late J. H. Massey Dawson, esq., of Ballinacourte, Tipperary.

— At Charlton Kings, the rev. George Royds Birch, of Paris, to Sophia, fourth daughter of sir William Russell, bart., of Charlton Park, Gloucestershire.

20. At Theydon Mount Church, Essex, G. W. Gill, esq., son of the late William Gill, esq., of Wraybury, Bucks, to Anne Elizabeth, second daughter of sir Edward Bowyer Smith, bart., of Hill Hall, in the county of Essex.

21. At St. George's, Hanover-square, by his father the rev. sir William Murray, of Hill-head, North Britain, bart., Robert Murray, esq., to Susan Catherine Saunders, widow of Adolphus Cotton Murray, esq., and daughter of the late John Murray, esq., commissary-general, of Ardeley Bury, Herts.

26. At Marlow, captain Bishop Culpeper, to Alicia Charlotte, eldest dau. of colonel sir Robert W. Clayton, bart., M.P.

— At Canterbury Cathedral, by his

grace the archbishop, major Hutchinson, eldest son of lieutenant-general sir W. Hutchinson, K.C.H., to Mary, daughter of the rev. Dr. Russell, prebendary of Canterbury and rector of St. Botolph's.

27. At Acton, Frederick Clinton, third son of lieutenant-general and the hon. Mrs. Munday, to Juliana, youngest dau. of the rev. W. Antrobus, rector of Acton.

— At Cheltenham, the rev. Charles Bushe, second son of the right hon. the chief-justice of Ireland, to Emmeline Egerton, second daughter of capt. sir Josiah Coghill, bart., R.N., of Belvedere House, Dublin.

28. At St. George's, Hanover-square, B. D'Israeli, esq., M.P., of Bradenham, Bucks, to Mrs. Wyndham Lewis, of Grosvener-gate, and Pantgwynlais, Glamorganshire.

— At Frankfurt, Charles, Benjamin Lee, esq., of the Abbey, Knaresborough, Yorkshire, to the hon. Mary Stuart, third dau. of general the lord Forbes; and at the same time, the baron Ernest de Poellnitz, to the hon. Isabella Drummond, fifth daughter of lord Forbes.

29. At St. George's, Hanover-square, H. P. Gordon, esq., to lady Mary Ashburnham, youngest daughter of the late earl of Ashburnham.

— At Marlborough Church, Devon, George Howard Vyse, esq., captain 2d life guards, to Lizzy, sixth daughter of the late rear-admiral sir Michael Seymour, bart., K.C.B.

— At Walton Park, Kirkcudbrightshire, Boyd Macdonald, esq., Glasgow, to Anne Cunningham, second daughter of major James Campbell, of Walton Park, Bucks, H.E.I.C.S.

31. At Brompton, John Dangersfield, esq., of Connaught-square, to Frances Susanah, youngest daughter of the late Walter Trevelyan, esq., of Netherwilton Hall, Northumberland, granddaughter of the late sir G. Trevelyan, bart.

Lately. At Edinburgh, the rev. R. W. Stewart, of Erskine, to Graham, daughter of lord Cockburn.

SEPTEMBER.

2. At St. George's, Hanover-square, lord Kilmaine to Mary, daughter of the hon. C. E. Law, recorder of London.

MARRIAGES.

3. At Oddington, Gloucestershire, the Rev. Edward Bankes, chaplain in ordinary to her majesty, prebendary of Gloucester and Bristol, and rectory of Corfe Castle, Dorsetshire, to Miss Maria Rice, third daughter of the hon. and very rev. the dean of Gloucester.

— At the Royal Chapel, Whitehall, John Cotes, esq., of Grosvenor-street, to lady Louisa Harriet Jenkinson, daughter of the earl of Liverpool.

4. At St. Martin's-in-the-fields, captain Charles Stuart, of the grenadier guards, to Georgiana, eldest daughter of the late vice-admiral sir John Gore, and maid of honour to her majesty the queen dowager.

5. At St. John's Paddington, by the rev. St. Vincent Beechey, William Nelson Beechey, esq., to Maria, second daughter of J. W. Liddiard, esq., of Hyde Park-street.

7. At Trinity Church, Marylebone, the rev. Spencer Thornton, son of Claude George Thornton, esq., of Marden-hill, Herts, to Caroline, seventh daughter of James du Pre, esq., of Wilton Park, Bucks.

10. At Romsey, the rev. William Vaux, prebendary of Winchester, and vicar of Romsey, to Elizabeth Jane, eldest daughter of rear-admiral sir J. Wentworth Loring, C. B. and K. C. H., of Lee House, Romsey.

Lately. The hon. Craven Fitzhardinge Berkeley, M. P., youngest son of the late earl of Berkeley, to the hon. Mrs. Talbot.

— At St. George's Hanover-square, C. J. Tottenham, esq., of the 2d life guards, eldest son of the lord Robert Tottenham, bishop of Clogher, to the hon. Isabella Maude, daughter of viscount Hawarden.

— Edward Lake, esq., lieut. R. N., son of the late sir James Lake, bart., of Ramsgate, to Clara, daughter of sir W. Johnston, bart., of Hilltown, Aberdeenshire.

11. At St. George's, Hanover-square, James Bonar, esq., of Kimmerghame, Berwickshire, to Mary, eldest daughter of the late hon. sir Patrick Murray, bart., of Ochertyre, Perthshire, one of the barons of the court of exchequer in Scotland.

— At Meldon, Sydney Streatfield, major of the 53d regiment, second son of the late Richard Streatfield, esq., of the Rocks, Sussex, to Sarah Jane, third

daughter of Isaac Cookson, esq., of Meldon Park, Northumberland.

17. At Lyons, Ireland, the hon. Edward Lawless, son of lord Cloncurry, to Miss Kirwan, daughter and heiress of John Kirwan, esq., of Castle Hacket, county Galway.

18. At St. Marylebone Church, Daniel Higford Burr, esq., M. P., of Gayton, Herefordshire, to Anne Margaretta, only daughter of the late captain Edward Scobell, R. N., of Poltair House, Cornwall, and of Dorset-square.

— At St. Margaret's, Westminster, commander R. F. Cleaveland, R. N., to Sophia, fifth daughter of the late rev. Hubert Oakeley, D. D., of Oakeley, Salop.

— At Claydon, Suffolk, the rev. Henry W. Lloyd, M. A., vicar of Cholsey, and rector of Moulsoford, Berkshire, to Georgiana, daughter of the rev. Richard Etough, D. D., rector of Claydon and Akenham, and vicar of Croxton-Kerrial and Stonesby, Leicestershire.

19. At Wilton Church, the hon. Thomas Vesey, eldest son of viscount de Vesci, to the lady Emma Herbert, youngest daughter of the late earl of Pembroke.

21. At Kilnasum, Charles Henry Monsell, esq., second son of the archdeacon of Derry, to Harriet, third daughter of the late sir Edward O'Brien, bart., of Dromoland, Clare.

23. Charles, eldest son of sir Charles Wolseley, bart., of Wolseley Hall, Stafford, to Mary Ann, eldest daughter of the late Nicholas Selby, esq., of Acton House, Middlesex.

24. At St. George's Hanover-square, Samuel Appleton Appleton, esq., of Boston, in America, to Julia, only daughter of the hon. Daniel Webster, of Boston, senator of the United States.

28. At Hindlip, Worcestershire, R. More O'Ferrall, esq., M. P., county Kildare, to Matilda, third daughter of viscount Southwell.

OCTOBER.

2. Reginald Curteis, esq., of Windmill-hill, Sussex, to Mary Frances, eldest daughter of Lawrence Reynolds, esq., of Paxton Hall.

— At Boldon, Durham, Calverley, eldest son of the rev. Calverley John Bewicke, of Hallaton Hall, Leicester-

MARRIAGES.

shire, to Amelia, youngest daughter of the rev. W. J. Hollingsworth, rector of Boldon.

3. At the Cathedral, Bombay, George Pollexfen, esq., to Frances Eleanor, second daughter of Thomas Dickens, esq., of Kilburn Priory, Kilburn.

5. At Trinity Church, Upper Chelsea, vicomte de Chabannes, to Grace, third daughter of the late John Maitland, esq., of Eccles, in the county of Dumfries.

7. M. Jules Avigdor, of Nice, to Emily eldest daughter of A. A. Goldsmid, esq., of Cavendish-square.

10. At Cheshunt Church, Richard Arabin, esq., only son of Mr. Sergeant Arabin, of Highbreech, to Elizabeth Mary, eldest daughter of sir Henry Meux, of Theobald's-park, Herts.

— At Beaumaris, Wales, Hugh Beaver, of Glyngarth, Anglesea, to Isabella Janet, third daughter of sir Duncan Campbell, bart., of Barialdine and Glenure, Argyleshire.

— Francis H. Goldsmid, esq., of Lincoln's-inn, to Louisa-Sophia, daughter of M. A. Goldsmid, esq., of Gloucester-place.

14. At Milverton, John Maxwell, esq., only son of sir John Maxwell, of Polloc, bart., to the lady Matilda Harriet Bruce, daughter of the earl of Elgin.

15. At St. George's Hanover-square, the right hon. Thomas Frankland Lewis, to Marianne, only surviving daughter of the late John Ashton, esq.

— At Gibraltar, the hon. D. W. Pelham, second son of the right hon. Charles earl of Yarborough, com. of H. M. S. Wasp, to Madelina, daughter of captain sir John Gordon Sinclair, of Stevenson, Haddingtonshire, N. B., bart.

— At St. Marylebone Church, the rev. Richard Croft, youngest son of the late sir Richard Croft, bart., to Charlotte Leonora, elder daughter of the late lieutenant-colonel Robert Russell, of the Madras Cavalry.

16. At Waltham, by the rev. W. B. Pole, George Smith, eldest son of C. G. Thornton, esq., of Marden-hill, Herts, to Agnes, youngest daughter of the rev. Henry Pole, of Waltham-place, Berks.

17. At St. Leonard's, Henry Taylor, esq., to the hon. Theodosia Alice, youngest daughter of lord Monteaigle.

— At St. George's Hanover-square,

Edward Sherlock Gooch, esq., eldest son of sir Thomas S. Gooch, bart., of Benacre Hall, Suffolk, to Harriet, third daughter of James J. Hope, Vere, esq., of Craigiehall, N. B.

— At St. George's Hanover-square, George Price, esq., son of the late sir Rose Price, of Trengwainton, Cornwall, to the hon. Emily Valentina Plunkett, only daughter of the right hon. lord Dunsany.

— At All Soules, Marylebone, John Edwardes Lyall, esq., to Julia, youngest daughter of the late S. Davis, esq., of Portland-place.

19. At Dublin, Thomas Ward, esq., of Belfast, to Harriette, youngest daughter of general Hojel, aide-de-camp to his royal highness the prince of Orange.

20. At the Cathedral Peterborough, the rev. Marsham Argles, to Julia, the second daughter of the bishop of Peterborough.

22. At the Hotel of the British embassy at Paris, Madelina Augusta Orlebar, third daughter of the late Richard Orlebar, esq., of Hinwick House, Bedfordshire, to M. le vicomte de Belle-Isle.

— At Hanmer, lord Charles Lennox Kerr, brother of the marquess of Lothian, to Miss Hanmer, sister of sir John Hanmer, bart.

24. At St. Margaret's, Westminster, George Bogle, esq., of Rosemount, Ayrshire, to Janet, daughter of Archibald Buchanan, esq., of Catrine Bank.

— At Edinburgh, the rev. J. H. Gurney, of Lutterworth, eldest son of the hon. Mr. Baron Gurney, to Mary, eldest daughter of the rev. Henry Grey, minister of St. Mary's, Edinburgh.

— At Cork, W. Westwood Chafy, esq., of Covington House, Cambridgeshire, to Annette, dau. of the bishop of Cork, Cloyne, and Ross.

29. At Blair Drummond, Lord Glenlyon, to Miss Home Drummond.

30. At Llanfair Dyffryn Clwydd, James Goodrich, esq., eldest son of William Goodrich, esq., of Maisemore Court, Gloucestershire, to Mary, only child of major Miles Wynne, of Eyarth House, Denbighshire.

— At St. George's, Hanover-square, general J. P. Henderson, minister from Texas, to Frances, second daughter of John Cox, esq., of Philadelphia.

302 ANNUAL REGISTER, 1839.

MARRIAGES.

NOVEMBER.

4. At Wrexham, R. Smith, esq., son of R. Smith, esq., of Capenhurst House, Cheshire, to Catherine, daughter of the hon. and rev. A. H. Cathcart, vicar of Kippax, Yorkshire.

13. At Bhooj, East Indies, lieut. J. P. Major, to Cecilia, youngest sister of lieut.-col. sir Alexander Burnes, resident at Candahar.

— At Ryde, Isle of Wight, Walter Richard, only son of Mr. and lady Georgiana Barnes, to Christiana Isabella, eldest daughter of the late J. K. Douglas William, esq., of Twyford Abbey, Middlesex.

— At Frant, captain William O'Grady Haly, second son of Aylmer Haly, esq., of Wadhurst Castle, Sussex, to Harriette Craven, only daughter of Robert Hedden, esq., of Ely Grange, in the same county.

20. At St. George's, Hanover-square, Richard Verity, esq., M. D., of Dean Lodge, near Kimbolton, to Susan Wenden, daughter of admiral sir Henry Baynton, G. C. B.

— At St. George's, Hanover-square, Gustavo Gaggiotti, esq., of Rome, to Mary, daughter of the late J. F. Barham, esq., and niece of the earl of Thanet.

26. At St. George's, Hanover-square, the rev. R. C. Dillon, D. D., to Frances Charlotte, eldest daughter of the late Thomas Rumball, esq., of Bushy, Herts.

— At Epping Church, Richard J. Eaton, esq., M. P., eldest son of Richard Eaton, esq., of Stetchworth Park, Cambridgeshire, to Charlotte Ellimbeth, second daughter of Henry John Conyers, esq., of Copp'd Hall, Essex.

— At Langham Church, Calverley R. Bewicke, of Barsham House, Suffolk, to Emma, eldest daughter, of the rev. Calverley J. Bewicke, of Hallaton Hall, Leicestershire.

— At Medomsley Church, the rev. Charles Carr, fourth son of the late John Carr, esq., of Dunstan-hill, Durham, to Ellimbeth, second surviving daughter of the late Anthony Surtees, esq., of Hamsterley Hall, in the same county.

Lately. At Calcutta, Leopold J. H. Grey, esq., civil service, eldest surviving son of the late bishop of Hereford, to Wilhelmina, daughter of the late Matthew Law, esq.

— At Berhampore, Wm. Alexander, esq., civil service, to Mary Grey, dau. of the late bishop of Hereford.

DECEMBER.

3. At Bedford Church, R. H. Douglas, esq., son of commodore Douglas, to Mary Selina, daughter of Captain R. Langslow, of Hatton, Middlesex.

9. At Abinger, Surrey, M. A. Saurin, esq., youngest son of the late right hon. W. Saurin, to Ann Maria, relict of R. M. Poore, esq., of Coombe, Wilts.

— At Walcot, Bath, the Rev. Wm. Churchill, of Colleton House, Dorset, to Julia Charlotte Mackenzie, eldest daughter of sir Orford Gordon, of Embo House, Sutherlandshire.

12. At St. George's, Hanover-square, the lord bishop of Hereford, to the hon. Catharine Cavendish, sister to lord Waterpark.

— At Doddington Hall, Lincolnshire, John, only son of Benjamin Bromhead, esq., of Lincoln, to Anne Fector, youngest daughter of lieutenant-colonel G. R. P. Jarvis, of Doddington Hall.

— At St. George's, Hanover-square, the viscount Palmerston, to the dowager countess Cowper, widow of the late earl Cowper, and only sister of viscount Melbourne.

18. At Walcot, Bath, Henry John Caldwell, esq., only son of sir John Caldwell, bart., to Sophia Louisa, eldest daughter of D. R. Paynter, esq.

21. At the chapel at Althorp, the hon. Richard Watson, to Lavinia Jane, only daughter of Lord George Quin.

26. At Almondsbury, Gloucestershire, Robert Cann Lippincott, of Overcourt, esq., to Margaret Agnes, youngest daughter of Mr. Serjeant Ludlow, of Almondsbury.

31. At Came, Dorsetshire, the rev. C. G. Newcomb, son of J. Newcombe, Esq. of Upton, Bucks, to Emily Georgiana Elizabeth, youngest daughter of the right hon. and rev. lord William Somerset.

Lately. At Dublin, Walter Strickland, esq., eldest son of the late George Strickland, esq., of Newton, Yorkshire, and grandson of the late sir G. Strickland, bart., to Charlotte, daughter of John Carroll, esq.

PROMOTIONS.

— At St. Martin's, the rev. Heneage Drummond, to Cecil Elisabeth, daughter of Andrew Mortimer and lady Emily Drummond.

PROMOTIONS.

1838.

GAZETTE PROMOTIONS.

Dec. 14. Sir Francis Palgrave, *knt.* to be deputy keeper of the records.

1839.

JANUARY.

GAZETTE PROMOTIONS.

19. Lord de Vesel chosen a representative peer of Ireland.

25. 4th Foot, *lieut.-col.* John Leslie to be *lieut.-col.*

— George Cornewall Lewis, *esq.* to be one of the Poor-law commissioners for England and Wales, in the room of (his father) the right hon. Thomas Frankland Lewis, resigned.

29. Joseph Hawker, *esq.* (Norroy king of arms) to be Clarenceux king of arms, and principal herald of the south, east, and west parts of England.

— Francis Martin, *esq.* (Windsor herald) to be Norroy king of arms, and principal herald of the north parts of England.

FEBRUARY.

GAZETTE PROMOTIONS.

1. Robert Laurie, *esq.* (Rouge Croix) to be Windsor herald.

1. William Courthope, *gent.* to be Rouge Croix purveyor of arms.

2. Col. sir Henry George Macleod to be *lieut.-governor* of Trinidad.

5. Patriek Mathias Murphy, *esq.* to be attorney-general at the Cape of Good Hope.

13. Thomas, lord Dundas, (since, by his father's death, become earl of Zetland) sworn lord-lieutenant and custos rotulorum of the north riding of Yorkshire.

15. Sir George Grey, *bart.* to be advocate-general or judge-martial of her majesty's forces.

18. Edward H. Drummond Hay, *esq.* to be president and senior member of council in the Virgin Islands.

— James Walker, *esq.* to be treasurer of Trinidad.

20. The marquess of Normanby to be one of her majesty's principal secretaries of state (for the colonial department).

— Robert John lord Carrington to be lord lieutenant and custos rotulorum of the county of Buckingham.

26. Capt. sir S. J. B. Peasehell, *bart.* to be a commissioner of the admiralty, *vice capt.* Berkeley.

— To be baronets:—Philip Cramp-ton, of Dublin, *M.D.*, surgeon-general to the forces, and surgeon in ordinary to her majesty in Ireland; and Henry Marsh, of Dublin, *M.D.*, physician in ordinary to her majesty in Ireland.

Right hon. Henry Labouchere to be under-secretary for the colonies (*vice sir George Grey*).

W. H. Maule, *esq.* *M.P.* to be one of the barons of the exchequer, *vice Bol-land*.

Right hon. N. Ball to be a judge of the common pleas in Ireland.

Maguire Brady, *esq.* to be attorney-general for Ireland; David Richard Pigot, *esq.* to be solicitor-general.

Edward Clarke, *esq.* to be recorder of Hastings and Rye, *vice Austen*, resigned.

Promoted to the rank of queen's counsel:—Messrs. V. and G. Richards, sons of the late chief baron of the exchequer; Mr. Hayter, *M.P.* for Wells; Mr. Girdlestone; and Mr. John Stuart. T. Wakley, *esq.* *M.P.* elected cooamer for Middlesex.

28. Hugh Fortescue, chevalier, (commonly called viscount Ebrington) summoned to the house of peers as baron Fortescue, of Castlehill, co. Devon.

MEMBERS RETURNED TO PARLIAMENT.

Buckinghamshire.—C. G. Du Pré, *esq.* *Cavan County*.—Hon. Somerset R. Maxwell.

PROMOTIONS.

Clonmel.—D. R. Pigot, esq., solicitor-general for Ireland.

Devonport.—Sir George Grey, bart., re-elected.

Sandwich.—Sir Rufane Shawe Donkin, K.C.B.

Tower Hamlets.—Right hon. Stephen Lushington, LL.D., re-elected.

Yarmouth.—William Wilshire, esq., re-elected.

CIVIL PREFERMENTS.

Rev. R. L. Cotton to be provost of Worcester college, Oxford.

Rev. John Lonsdale, B.D. to be principal of King's college, London.

Joshua King, esq. D.C.L. (president of Queen's college) to be Lucasian professor of mathematics at Cambridge, *vice* Babbage, resigned.

G. B. Watson, M.B. to be physician of the Radcliffe infirmary, Oxford.

John Burder, esq. to be solicitor to the governors of queen Anne's bounty, *vice* John Dyneley, esq., deceased.

MARCH.

GAZETTE PROMOTIONS.

1. Viscount Ebrington and sir George Grey, bart. sworn of the privy-council.

— Viscount Ebrington declared lieutenant-general and general governor of Ireland.

— Double Peter Hoblyn, esq. to be sheriff of Cornwall, *vice* sir R. R. Vyvyan, bart.

— 6th Dragoon Guards, brevet lieutenant-colonel James Jackson to be lieutenant-colonel.

— Cape Mounted Riflemen, brevet col. Henry Somerset to be lieutenant-colonel.

— Unattached, major John Johnson, from 13th regt., major H. A. Hankey, from 8th Dragoons, to be lieutenant-colonels.

6. Knighted, capt. George Back, R.N. and Henry Roper, esq., one of the judges of the supreme court of judicature at Bombay.

19. Samuel Duckworth, esq. to be a master in chancery in ordinary, *vice* Cross.

MEMBERS RETURNED TO PARLIAMENT.

Carlisle.—Francis Bruen, esq.

Devon, North.—Lewis William Buck, esq.

Leicester.—Wynne Ellis, esq.

Leitrim County.—Lord viscount Clements.

Richmond.—Hon. sir R. L. Dundas, K.C.B.

Southwark.—Daniel Whittle Harvey, esq., re-elected.

Wigan.—William Ewart, esq.

ECCLESIASTICAL PREFERMENTS.

Rev. A. La Touche Kirwan to be dean of Kilmaedagh.

Rev. W. T. P. Brymer to be archdeacon of Bath.

CIVIL PREFERMENTS.

T. J. Birch, esq. to be recorder of Thetford.

Sir David Brewster to be rector of the university of St. Andrew's.

J. C. Colquhoun, esq. M.P. to be rector of the marischal college, Aberdeen.

APRIL.

GAZETTE PROMOTIONS.

1. Vice-adm. sir C. Adam, K.C.B. to be lieutenant and sheriff-principal of the shire of Kiaross.

— The hon. J. C. Dundas to be lieutenant and sheriff-principal of the shires of Orkney and Zetland.

4. Peregrine Dealtry, esq. to be coroner and attorney in the court of queen's bench.

6. Charles Cunningham, esq. to be lieutenant-governor of the island of St. Christopher.

— The right hon. sir Frederick James Lamb, G.C.B., ambassador extraordinary at Vienna, created baron Beauvale, of Beauvale, co. Nottingham.

8. Francis Cynric Sheridan, esq. to be secretary and clerk of the council and remembrancer of the court of exchequer in Barbadoes.

— Richard Michant Mugeridge, esq. to be an assistant poor-law commissioner and directed to carry into effect the act for Ireland.

PROMOTIONS.

12. John baron Ponsonby, G.C.B. ambassador extraordinary at the Sublime Ottoman Porte, created a viscount of the United Kingdom.

20. Andrew Rutherford, esq. to be lord-advocate for Scotland; James Ivory, esq. to be solicitor-general for Scotland.

NAVAL PROMOTIONS.

Admiral sir Graham Moore, G.C.B. to be commander-in-chief at Plymouth.

Vice-admiral sir T. Harvey, K.C.B. to be commander-in-chief in the West Indies and North America.

ECCLESIASTICAL PREFERMENTS.

Hon. and rev. T. Plunkett (dean of Down) to be bishop of Tuam and Killala.

Rev. Thomas Grylls to be dean of Exeter.

Rev. J. L. Drapes to be archdeacon, vicar, and librarian in the cathedral church of St. Canice, Kilkenny.

CIVIL PREFERMENTS.

Rev. Dr. McCall, Trinity college, Dublin, to be principal of Upper Canada college.

MAY.

GAZETTE PROMOTIONS.

2. To be barons of the United Kingdom:—Richard Wogan baron Talbot de Malahide, by the title of baron Furnival of Malahide, co. Dublin; sir John Thomas Stanley, bart., by the title of baron Stanley, of Alderley, co. Chester; the right hon. Henry Villiers Stuart, by the title of baron Stuart de Decies, of Dromona, within the Decies, co. Waterford; Chandos Leigh, esq., by the title of baron Leigh, of Stoneleigh, co. Warw.; Paul Beilby Thompson, esq., by the title of baron Wenlock, of Wenlock, co. Salop; the right hon. Charles Brownlow, by the title of baron Lurgan, of Lurgan, co. Armagh; Nicholas William Ridley Colborne, esq., by the title of baron Colborne, of Westharling, co. Norfolk; Arthur French, of French Park, Roscommon, esq., by the title of baron de Freyne, of Artagh, co. Roscommon.

4. The hon. Adolphus William Col-

chester to be a page of honour in ordinary to her majesty, *vice* Lord Kilmarnock.

6. The earl of Uxbridge to be lord chamberlain of her majesty's household.

23. Her majesty the queen dowager appointed the hon. William Ashley Cooper, to be master, governor, and keeper of the royal hospital and free chapel of St. Katharine, in the Regent's Park.

25. The hon. G. S. S. Jerningham (sec. of Legation at Lisbon), to be secretary of Legation at Madrid.

— 16th Light Dragoons, major sir Walter Scott, bart., to be lieutenant-colonel.

— 29th Foot, major J. V. Evans to be lieutenant-col.

28. The right hon. James Abercromby created baron Dunfermline, of Dunfermline, county Fife.

The earl of Charlemont to be lord lieutenant of the co. Tyrone, *vice* the earl of Caledon, deceased.

The marquess of Headfort to be K. P. W. Russell, esq. (private sec. to the lord chancellor), to be accountant-general of the Court of Chancery.

M. D. Hill, esq., Q. C., to be recorder of Birmingham.

James Croker, esq., to be solicitor-general and crown prosecutor in the colony of Port Philip, Melbourne Town.

NAVAL PROMOTIONS.

To be captain, Richard H. King.
To be commanders, Thos. P. Dobree, Humphrey Butler.

MEMBERS RETURNED TO PARLIAMENT.

Ayr county.—Viscount Kilburne.
Hertford.—Hon. W. F. Cowper, re-elected. (Commiss. of Greenwich hosp. *vice* Shell).

Leith burghs.—Right hon. A. Rutherford.

Tyrone co.—Lord Claud Hamilton.

ECCLESIASTICAL PREFERMENTS.

Very rev. George Davys, D. D. (dean of Chester), to be bishop of Peterborough.

Rev. Frederick Anson to be dean of Chester.

Rev. G. Peacock to be dean of Ely.

Very rev. T. Blakely (dean of Achonry) to be dean of Down.

X

306 ANNUAL REGISTER, 1839.

PROMOTIONS.

Rev. E. N. Hoare to be dean of Achonry.

Rev. J. Chaine to be dean of Connor.
Hon. and rev. W. T. Law to be chancellor, of the diocese of Bath and Wells.

Rev. Rich. Fenton to be prebendary of Lincoln.

Rev. J. J. Blunt, D. D., to be lady Margaret's professor of divinity, Cambridge.

CIVIL PREFERMENTS.

Rev. H. B. Wilson, B. D., to be professor of Anglo-Saxon at Oxford.

J. S. Blackie, esq., to be regius professor of humanity at Aberdeen.

JUNE.

GAZETTE PROMOTIONS.

25. A. Aston, esq. (secretary to her majesty's embassy at Paris), to be envoy ext. and minister plenipotentiary to the queen of Spain.

— H. L. Bulwer, esq. (secretary of embassy at St. Petersburg), to be secretary of embassy at Paris.

— The hon. J. A. D. Bloomfield, (secretary of legation at Stockholm) to be secretary of embassy at St. Petersburg.

26. Major Hugh Rose, 92d Highlanders, to be equerry to the duke of Cambridge.

28. 11th Light Dragoons, lieutenant-general C. S. Maunera, K. C. B., to be colonel.

— 1st Grenadier Foot Guards, brevet major T. Wood to be captain and lieutenant-colonel.

Unattached, major T. W. Nicholson, from 55th Foot, to be lieutenant-colonel.

MEMBERS RETURNED TO PARLIAMENT.

Edinburgh.—Thomas Babington Macaulay, esq.

Ludlow.—Thomas Alcock, esq.

ECCLIASTICAL PREFERMENTS.

Rev. John Seapark to be dean of Connor.

Rev. John Cecil Hall, B. C. L. to be archdeacon of the Isle of Man.

CIVIL PREFERMENTS.

Rev. R. Tatham, B. D. to be master of St. John's college, Cambridge.

Rev. B. Chapman, M. A., to be master of Gonville and Caius college, Cambridge.

Rev. R. Michel, B. D., to be professor of logic at Oxford.

C. R. Turner, esq., to be one of the masters of the Court of Queen's Bench.

JULY.

GAZETTE PROMOTIONS.

3. Somerville Wm. Harcourt Ramsbottom, esq., to be provost martial-general of the island of Grenada.

— Lord Harry Vane, to be secretary to her majesty's legation at Stockholm.

5. Lieutenant-general James Watson, C.B. to be a knight commander of the bath.

— Edward Jackson, esq., to be attorney-general of the island of Trinidad.

— Scots Fusileer Guards, lieutenant-col. G. M. Eden, from 56th foot, to be captain and lieutenant-colonel.

11. Sir Charles T. Metcalf, bart., and G.C.B., to be captain-general and governor-in-chief of Jamaica.

— The earl of Scarborough to be lieutenant and custos rotulorum of the county of Nottingham.

12. 3rd Light Dragoons, captain G. H. Lockwood, to be major.

— 29th Foot, major the hon. C. A. Wrottesley, to be lieutenant-colonel; captain R. Lucas, to be major.

— 45th Foot, lieutenant-col. E. F. Boys, to be lieutenant-col.

23. Sir William Horne, knight, to be one of the masters of the high court of chancery.

26. Brevet lieutenant-col. E. T. Mitchell, R. A., to have the local rank of colonel in Spain.

31. Sir Charles T. Metcalf, bart., G.C.B. (governor of Jamaica) sworn of the privy council.

MEMBERS RETURNED TO PARLIAMENT.

Glasgow.—James Oswald, esq.

Ipswich.—Sir T. J. Cochrane, K.C.B.

PROMOTIONS.

ECCLESIASTICAL PREFERMENTS.

Rev. William Hale, M.A., to be archdeacon of St. Alban's.

Rev. John Vane, to be a deputy clerk of the closet to the queen.

Rev. W. N. Hooper, to be precentor of Winchester.

Rev. W. Brown, to be minor canon of Worcester cathedral.

Rev. E. J. Carter, to be minor canon of Bristol cathedral.

Rev. B. P. Clement, to be minor canon of Winchester cathedral.

CIVIL PREFERMENTS.

P. S. Kelly, esq., to be professor of law at the London University college.

AUGUST.

GAZETTE PROMOTIONS.

6. 43rd Foot, lieutenant-general sir John Keane, K.C.B., from 46th Foot, to be col.

46th Foot, lieutenant-general John Ross, from 98th Foot, to be colonel.

98th Foot, major-general sir Willoughby Cotton, K.C.B., to be colonel.

7. Knighted by patent, Anthony Oliphant, esq., chief justice to the supreme court at Ceylon.

9. 88th Foot, major W. H. Eden, to be lieutenant-col.; captain W. H. Rutherford, to be major.—Brevet lieutenant-colonel John Grey, to be colonel.

12. Lieutenant-general sir John Keane, K.C.B., to be G.C.B.

16. 56th Foot, lieutenant-col. W. H. Eden, from 86th Foot, to be lieutenant-colonel, *vice* lieutenant-col. R. O'Hara; Brevet, majors H. G. Jackson and Forbes Macbean, R. A., to be lieutenant-colonels.

23. 42nd Foot, major G. Johnstone, to be lieutenant-colonel.

26. The duke of Sutherland sworn lord-lieut. of the county of Salop.

— The right hon. Francis Thornhill Baring to be chancellor and under-treasurer of the exchequer, and sworn of the privy council.

— Royal Marines, colonel G. P. Wingrove, and col. G. Lewis, C.B., placed on the retired full pay of their ranks as colonels.—Colonel second-comm. T. Adair, C.B., to be colonel-comm. of the Plymouth division, *vice* Lewis; colonel second comm. Wm. Conolly to be col.

comm. of the Woolwich division, *vice* Wingrove; lieutenant-col. John Owen, C.B. K.H., to be colonel second comm. of the Plymouth division; lieutenant-colonel John Wright, K.H., to be col. second comm. of the Chatham division; captain and brevet major W. W. Burton to be lieutenant-col. in the Woolwich division; colonel Owen to continue deputy adjutant-gen., notwithstanding his promotion; and, consequently, lieutenant-col. Thompson Aslett to be colonel second comm. of the Plymouth division, *vice* Owen; captain and brevet major Abraham Gordon to be lieutenant-colonel.

— Knighted, John Gardner Wilkinson, esq., F.R.S.

27. The right hon. Thomas Spring Rice, created a baron of the United Kingdom by the title of baron Mont-eagle, of Brandon, county Sligo.

— Right hon. Charles Poulett Thomson, to be governor-general of Canada.

— Richard Lalor Shiel, esq., to be vice-president of the board of trade.

30. 2nd Dragoons, lieutenant-gen. sir W. K. Grant, K.C.B., to be colonel.

— 8th Dragoons, lieutenant-general sir J. Straton to be colonel.

— 9th Dragoons, major-general J. W. Sleigh to be colonel.

— 17th Dragoons, major-general sir A. B. Clifton, K.C.B. to be colonel.

— The countess of Sandwich appointed lady of the bedchamber to her majesty, *vice* the countess of Bradalbane.

— Mr. Ellis appointed attorney-general in the duchy court of Lancaster in the room of Mr. Russell, now accountant-general in the court of chancery, and Mr. E. Halswell succeeds Mr. Ellis as queen's counsel.

MEMBERS RETURNED TO PARLIAMENT.

Aylesbury.—C. J. Baillie Hamilton, esq. *Carlou*.—Thomas Gisborne, jun. esq.

Perth.—David Greig, esq., lord provost of Perth.

ECCLESIASTICAL PREFERMENTS.

Rev. J. Strachan, D.D., to be bishop of Toronto, Upper Canada.

Rev. B. Prowing, to be minor canon of Winchester.

Rev. A. W. West, to be prebendary of St. Patrick's cathedral, Dublin.

Rev. W. Athill, M.R., Middleham Deanery, Yorkshire.

SEPTEMBER.

GAZETTE PROMOTIONS.

7. Sarah Otway Cave, of Stanford Hall, county of Leicester, widow, being one of the coheirs of the barony of Braye, originating by writ of summons to parliament granted to sir Edmund Braye, in the reign of king Henry VIII., confirmed baroness Braye by letters patent.

— Knighted, by patent, Michael Mac Turk, esq., of British Guiana.

9. Thomas baron Monteagle, to be comptroller-general of the receipt and issue of her majesty's exchequer.

11. Doctor John Lee, to be secretary to her majesty's sole and only master printers in Scotland.

12. Edward Porter, esq., to be her majesty's consul at Bahia.

— Goodschall Johnson, esq., to be consul at Antwerp.

14. Thomas Stonor, of Stonor, county of Oxford, esq., summoned by writ to the house of peers, by the title of baron Camoys.

— Mr. More O'Ferrall to be secretary to the admiralty, *vice* Mr. C. Wood.

— Lieut.-Gen. sir S. F. Whittingham to be commander-in-chief at Madras, and lieut.-gen. sir Archibald Campbell, commander-in-chief at Bombay.

— Lieut.-gen. John Maister to be commander-in-chief in the Windward and Leeward Islands.

21. Windham Henry, earl of Dunraven, to be a representative peer of Ireland.

27. Thomas Babington Macaulay, esq. to be secretary at war.

30. The right hon. T. B. Macaulay, sworn of the privy council.

MEMBERS RETURNED TO PARLIAMENT.

Cambridge.—Hon. J. H. T. Manners Sutton.

Manchester.—R. H. Greg, esq.

Portsmouth.—Right hon. F. T. Baring, re-elected.

Tipperary.—Right hon. R. L. Sheil, re-elected.

Waterford City.—T. Wyse, esq., re-elected.

CIVIL PREFERENCES.

F. Penny, esq. to be professor of

PROMOTIONS.

chemistry in Anderson's university at Glasgow.

T. J. Hall, esq. to be chief magistrate of Bow-street; S. Twyford, esq. second magistrate; and D. Jardine, esq. third magistrate.

F. Burgess, esq. to be police commissioner of Birmingham.

Sir Charles Shaw, chief commissioner of police for Manchester.

Lieut.-col. Edward Anthony Angelo, chief commissioner of police for Bolton.

W. Hogg, esq. M.P., elected an East India director.

OCTOBER.

GAZETTE PROMOTIONS.

1. George Lloyd Hodges, esq., (late consul-general in Servia,) to be her majesty's agent and consul-general in Egypt.

— 59th Foot, major T. Wright to be lieut.-col.; brevet lieut.-col. D. Urquhart to be major.

10. Royal Artillery, major-gen. sir J. H. Carncross to be colonel-commandant.

— The rev. David Welsh, D.D., to be secretary to her majesty's sole and only master printers in Scotland, in the room of Dr. John Lee, resigned.

11. 3rd Dragoons, major C. R. Cureton to be lieut.-col.

— 46th Foot, brevet lieut.-colonel Andrew Clarke to be lieut.-col.

12. Admiral the hon. Charles Elphinstone Fleming to be master of her majesty's hospital at Greenwich.

18. 22nd Foot, major J. L. Peene-father to be lieut.-col.

— 99th Foot, major sir J. G. Le Marchant to be lieut.-col.

— Brevet, lieut.-general sir Jasper Nicholls, K.C.B., to have the local rank of general in the East Indies.

— Col. sir Robert Gardiner, K.C.B., of the royal artillery, formerly equerry to king Leopold, to be first and principal aid-de-camp to the queen.

21. George William lord Lyttleton to be lord lieutenant and *custos rotulorum* of the county of Worcester.

25. Adm. sir H. W. Baynton, K.C.B., to be G.C.B., rear-adm. Samuel Pym and major-gen. sir John B. Savage, *knt.*, to be K.C.B., and captain J. W. Dennis Dundas, R.N., to be C.B.

PROMOTIONS.

— 81st Foot, lieutenant-colonel Charles Chichester to be lieutenant-col.

26. Col. John Hare, C.B., to be lieutenant-gov. of the eastern division of the Cape of Good Hope.

CIVIL PREFERMENTS.

Rev. T. Chambers, M.A., to be head master of the royal naval college.

NOVEMBER.

GAZETTE PROMOTIONS.

1. Scots Fusilier Guards, brevet major W. F. Snell to be captain and lieutenant-colonel.

— Stewart Henry Paget, esq., to be one of the groomers of her majesty's privy chamber in ordinary.

5. Henry Tuffnell, esq., to be one of the lords of the treasury.

15. 3d Light Dragoons, lieutenant-general lord Charles S. Manners to be col.

— 11th Dragoons, major-gen. Philip Philipps to be col.

— Viscount Ebrington to be lord lieutenant and custos rotulorum of the county of Devon, *viz* his father earl Fortescue.

20. The hon. Charles Spencer Cowper to be secretary of legation at Florence.

21. The earl of Erroll, K.T., G.C.H., to be lord steward of her majesty's household.

22. Lieutenant-col. John Gurwood to be deputy-lieut. of the Tower of London.

— Captain J. H. Bainbridge to be fort major and adjutant of Guernsey.

ECCLESIASTICAL PREFERMENTS.

Rev. Randall Ward to be senior chaplain and acting archdeacon at Bombay.

Rev. H. Jenkins to be a prebendary of Durham.

CHAPELLAIN.

Rev. Gerrard Andrews to be the speaker of the house of commons.

CIVIL PREFERMENTS.

Rev. Canon Morgan to be master of St. Ethelbert's hospital, Hereford.

Rev. W. North, M.A., of Jesus coll., Oxford, to be professor and tutor of St. David's college; the rev. D. T. Jones to be professor of the Welsh language.

DECEMBER.

GAZETTE PROMOTIONS.

3. Royal Artillery, brevet colonel sir R. Gardiner, K.C.B., to be colonel; brevet lieutenant-colonel W. Wyld to be lieutenant-colonel.

5. Lieutenant-general sir John Colborne, G.C.B., created baron Seaton, of Seaton, county of Devon.

— The marquess of Breadalbane to be lieutenant and sheriff principal of the shire of Argyll.

6. 1st West India Regiment lieutenant-sir W. Nicolay to be colonel.

9. Knighted, Thomas Phillips, esq., late mayor of Newport, county of Monmouth.

11. George lord Auckland, G.C.B., created baron Eden, of Newwood, county of Surrey, and earl of Auckland; lieutenant-gen. sir John Keane, G.C.B., created baron Keane, of Ghuznee, in Afghanistan, and Coppedale, county of Waterford.

— To be baronets of the United Kingdom, William Hay Macnaghten, esq., E.I.C.S., envoy and minister from the government of India to his majesty Shah Shooja-ool Moolk; and colonel Henry Pottinger, E.I.C.S., political resident in Cutch.

— Knighted, by patent, lieutenant-col. Claud Martine Wade, E.I.C.S., political resident at Loodiana.

19. William Ogle Carr, esq., to be second puisne judge of Ceylon, and James Stark, esq., to be her majesty's advocate in Ceylon.

20. Colonel Thomas Willsheire, commanding the Bombay troops; colonel Joseph Thackwell, commanding the cavalry; and colonel R. H. Sale, commanding the 13th drag., to be knights commanders of the Bath.

— To be companions of the Bath:—Lieut.-colonels John Scott, 4th Light Drag.; William Perce, 16th Lancers; Wm. Croker, 17th Foot; Ronald Macdonald, 4th Foot, deputy adjutant-gen., Bombay; Abr. Roberts, Bengal N.I.; Thomas Stevenson, Bombay Artillery; Thos. Monteath, N.I.; H. M. Wheeler,

DEATHS.—1838.

Bengal N.I.; C. M. Carmichael Smyth, Bengal N.Cav.; Bentham Sandwith, Bombay N.Cav.; Foster Stalker, Bombay N.I.; and Claud Martine Wade, Bengal N.I.; major George Thomson, Bengal Eng.; and major Eldred Pottinger, Bombay Art.

— Staff—Brevet major S. R. Warran, of the 65th Foot, to be deputy quarter-master-general to the troops serving in Jamaica, with the rank of lieutenant-colonel in the army; major Michael White to be lieutenant-colonel.

— 16th Light Dragoons, major C. R. Careton, to be lieutenant-colonel.

— To be lieutenant-colonels in the army, majors John Pennycuik, 17th Foot; Edw. T. Tronson, 13th Foot; F. D. Daly, 4th Light Drag.; Rich. Carruthers, 2nd Foot; and G. J. McDowell, 16th Light Dragoons.

— The rev. John Allen, M.A., and Seymour Tremenheere, esq., barrister-at-law, to be inspectors of schools to be aided by public grants.

— Royal Artillery, brevet-major C. E. Gordon to be lieutenant-colonel.

21. Lord Kinnaid, to be master of her majesty's huck-hounds.

23. H. V. Huntley, esq., capt. R. N., to be lieutenant-governor of her majesty's settlements on the Gambia.

ECCLESIASTICAL PREFERMENTS.

Rev. M. G. Beresford to be archdeacon of Armagh.

Rev. J. Wilberforce to be archdeacon of Surrey.

Rev. T. D. More, to be prebendary of Kingalor and Athnowen, in Ireland.

CIVIL PREFERMENTS.

Daniel Whittle Harvey, esq., of Raleigh-house, Brixton, to be commissioner of the police force of the city of London and liberties thereof.

Charles Harwood, esq., to be recorder of Shrewsbury.

DEATHS.

1838.

Oct. 24. At New York, in consequence of being run over by a waggon

the day before, aged 66, Mr. Joseph Lancaster, the successful promulgator of the system of mutual instruction known by his name.

He was born in England in 1771, was bred a quaker, and maintained the habits and manners of that persuasion. The rev. Dr. Bell, from Madras, laid claim to the merit of introducing the same system; but it is certain Mr. Lancaster's was in practice before Dr. Bell's plan was heard of. Lancaster received great encouragement from many persons of the highest rank, which enabled him to travel over the kingdom, delivering lectures, giving instructions, and forming schools. Having become involved in pecuniary difficulties, by the failure of a large school establishment in which he had engaged at Tooting, he left England about the year 1800, and went to America, where his fame procured him friends, and his industry rendered him useful.

Mr. Lancaster published several pamphlets explaining and enforcing his system of instruction.

Nov. 2. At St. Mary's, Scilly, in his 65th year, major-gen. John Nugent Smyth, lieutenant-governor of the Scilly Islands.

17. At his rooms, in Queen's College, Cambridge, aged 80, John Lodge Hubbersty, esq., M.D., many years senior fellow of that society, deputy high steward of the University, and late recorder of Lancaster.

27. At Florence, aged 27, Henrietta, wife of capt. C. Ricketts, R.N., youngest daughter of col. Tempest, of Tong Hall, Yorkshire.

Lately. At Warsaw, in his 63rd year, Louis Ozinski, referendary of state, and one of the most distinguished writers of Poland. He was formerly professor of literature in the ancient university of Warsaw, and latterly occupied the posts of member of the council of public instruction and director of the theatre. He wrote and translated from the French several tragedies, comedies, and operas, and was the first who introduced *Comédie* into Poland.

Dec. 9. In Charles-street, Berkeley-square, John Warde, esq., of Squeries, near Westerham, Kent.

Mr. Warde was born in 1753, and was the eldest son and heir of John

DEATHS.—1838.

Warde, esq., of Squerries, a South Sea director. His great-grandfather, sir John Warde, alderman of London, and lord mayor in 1719, was a junior member of a Yorkshire family.

Mr. Warde was celebrated as a sportsman; he formerly hunted Oxfordshire and the neighbouring counties with his fox-hounds, and was considered the father of the hunt. He afterwards changed the scene of his sports to the country round Hungerford. He was the acknowledged master of his craft, and appealed to in all cases in which the laws of sporting were concerned.

Mr. Warde married in 1781, the hon. Susannah Askell Grimston, third daughter of James second viscount Grimston in the peerage of Ireland, and aunt to the present earl of Verulam. This lady survives him without issue.

12. At his castle of Ellingen, Bavaria, in his 72d year, field-marshal prince Wrede, minister of state, hereditary councillor and inspector-general of the army of that kingdom, and an honorary G.C.B.

This celebrated general was born at Heidelberg in 1767. In 1805, he served as a lieutenant-general with the army against Austria, and received from Napoleon the grand-cross of the legion of honour. After having distinguished himself in various actions of that war, he was severely wounded in the decisive battle of Wagram, and was then created field-marshal.

In the famous campaign in Russia he commanded, with great credit, the Bavarian contingent army, which in the retreat often withstood the Russians, but with great loss, and its cavalry was almost entirely cut off.

Political compacts soon after changing, general Wrede, on the 8th of Oct. 1813, signed the treaty by which Bavaria declared herself separated from the confederation of the Rhine, and from the party of France: and, marching at the head of a united Bavarian and Austrian army, he attempted at Hanau, but without success, to cut off Napoleon's retreat after the battle of Leipzig. Entering France in 1814, he maintained his usual reputation in the field; and, when peace was concluded, he was elevated to the rank of prince. In the following campaign he estab-

lished his head-quarters at Auxerre in Burgundy, and occupied the central provinces in France. In 1815, he was nominated an honorary knight grand cross of the English order of the bath.

The prince had presided over the councillors of state of Bavaria during seven assemblies of the chambers. He married, in 1795, Sophia de Wiser, a lady of the palace, by whom he has left issue five sons and three daughters. The prince retained his faculties to the last moment. He ordered that the dissection of his body should take place twenty-four hours after his death, and that the ball should be extracted, which he received twenty-five years before, at Hanau, and preserved by his family.

18. At Gibraltar, Thomas J. Dundas, esq., ensign 48th regiment, eldest son of the hon. and rev. T. L. Dundas, rector of Harpole, Northamptonshire, and nephew of the late earl of Zetland.

20. Aged 42, the hon. William Waldegrave, a post-captain R.N.; only brother and heir presumptive to lord Radstock.

— At Morley's hotel, Trafalgar-square, aged 65, Horatio Leggett, esq., late solicitor to the commissioners of King's taxes, who committed suicide. At the coroner's inquest, John Wilkin, esq., receiver-general of Wales, deposed that he had known the deceased for nearly forty years. He was married, and had a family. He was in the habit of frequently coming up to town from Worth, and invariably on those occasions dined with witness. After dinner, if they were alone, he would complain to witness that he was the most wretched man in existence for the want of active employment. He was pensioned in 1833, on an allowance of £350l. per annum. Verdict—"Temporary insanity."

21. At Exeter, aged 61, James Winstanley, esq., 2nd son of C. Winstanley, esq., of Brauseston Hall, near Leicester.

22. At Florence, in his 44th year, the rev. Hugh James Rose, B.D., principal of King's College, London, and late chaplain to the archbishop of Canterbury.

Mr. Rose was the eldest son of the rev. William Rose, vicar of Glynde,

DEATHS.—1836.

near Lewes. He was born at Uckfield, and educated in his father's school at that place. He afterwards became a scholar of Trinity College, Cambridge, where he was the senior medallist of his year (1817), and the fourteenth wrangler. His first preferment was the vicarage of Horsham, to which he was presented by the late archbishop of Canterbury in 1822, where his parochial administration is still remembered by his parishioners with affectionate respect and gratitude. In 1827 he was collated by bishop Carr to the prebend of Middleton, in the cathedral church of Chichester, which he resigned in 1833. In 1829 he was elected christian advocate, which appointment he retained until 1833. In 1830 he exchanged the vicarage of Horsham for the valuable rectory of Hadleigh, in Suffolk, through the patronage of the present archbishop of Canterbury, to whom he was chaplain, but, finding that the soil and air of that place disagreed with his health (his complaint was asthma), he, in 1834, exchanged that living for Fairsted in Essex, and St. Thomas's in the borough of Southwark. In 1833, Mr. Rose was called to a still more appropriate task, that of instructing the theological students of the new university of Durham. At the foundation of that establishment, he gave a course of divinity lectures of great merit, and in consequence was offered the professorship of divinity, but he found his strength unequal to the undertaking. On the appointment of Dr. Otter to the see of Chichester, in 1836, Mr. Rose succeeded him as the principal of King's College in London; and he then resigned the rectory of Fairsted.

Mr. Rose became at an early age a champion of the church, and he laboured not in vain. The first thing that seems to have struck his attention at the university, was the undue preference given to mathematical studies, to the discouragement of the valuable and enduring attainments of literature. To the correction of this bias, as christian advocate, he bent his great and varied powers, and with the best success. Several admirable improvements have been introduced into the educational course at Cambridge, in consequence of his efforts. But

what of all, perhaps, ranks him highest, are his exposures of the fallacies of the German schools, which have of late years become popular under a variety of forms, so as to endanger the very being of the christian religion. Almost single-handed, he took up the cause of primitive christianity against 'neology'; and he lived to see his labour crowned with a no small portion of triumph. It was Mr. Rose's distinction to be, in the proper sense of the phrase, a high-churchman; and it is his glory, now he has gone from this world, to have left many high-churchmen behind him, treading firmly and faithfully in his own steps. Indeed, it would be difficult to find one who united more learning, talent, and self-devotedness to the cause of God, than did this exemplary person, or one who possessed in the same degree those secondary qualities which give to the former increased efficiency. As a preacher, Mr. Rose's style was masculine, animated, and elegant; and formed on the best and purest models of English eloquence.

Mr. Rose's works were numerous; the following are the most important:—

Inscriptiones Vetustissimæ. 1825. 8vo. A very learned work.

The State of the Protestant Religion in Germany. In a series of discourses before the university of Cambridge. 1825. 8vo. A volume of much research and argument, and which called forth some very learned answers to it, both abroad and at home.

An Appendix to the State of the Protestant Religion in Germany, being a reply to the German critics on that work. 1828. 8vo.

The Commission and Consequent Duties of the Clergy: in a series of discourses delivered before the university of Cambridge, as one of the select preachers. 1828. 8vo.

Notices of the Mosaic Law, with some account of the opinions of recent French writers concerning it. 1831. 8vo. These three works were his annual publications as christian advocate.

In 1832, Mr. Rose projected the *British Magazine*, which has been steadily and entirely devoted to the interests of the church. Upon the death of Mr. Smedley, he became

DEATHS.—JANUARY.

editor of the *Encyclopædia Metropolitana*. He also contributed several articles to the *Quarterly and Foreign Quarterly Reviews*; and he prepared new editions of Parkhurst's *Greek Lexicon* and of Middleton on the *Greek Article*.

He was joint-editor, with archdeacon Lyall, of the *Theological Library*; and it was his intention to have contributed to that collection a *Life of Luther*, which he had commenced, but had never found time to finish.

For many years his health had been on the decline, and lately he had been advised to try a warmer climate. He had proceeded as far as Florence, on his way to Rome, when it pleased the Almighty to remove his soul into a better world.

96. At Swansea, S. Wales, in her 75th year, Mrs. Hatton, only surviving sister of the late John Philip Kemble and Mrs. Siddons. As "*Ann of Swansea*," she was well known in the literary world as the authoress of several novels and political productions.

27. At Edinburgh, at an advanced age, John Philip Wood, esq.

In this remarkable and excellent individual, we have an instance of a person deaf and dumb from his infancy, yet attaining to no mean eminence as an author, and, moreover, for many years holding the office of auditor of excise in Scotland, and discharging its duties with fidelity and success.

He was descended from an old and respectable family in the parish of Cramond near Edinburgh. His first literary work seems to have been a "*Sketch of the Life and Projects of John Law, of Lauriston, Comptroller-General of the Finances of France*," printed in 4to., 1791. This he afterwards republished in an enlarged form in 1824. Law was a native of the parish of Cramond; and Mr. Wood next directed his attention to the other historical annals of his native place. He published the results under the title of "*The Ancient and Modern State of the Parish of Cramond*," 4to., 1794. This was the first parochial history attempted in Scotland: it is noticed in the *Gentleman's Magazine* for April 1795, as "one of the most exact and elegant topographical works ever published."

But Mr. Wood's great work was a

new edition of the *Peerage of Scotland*, compiled by sir Robert Douglas, of Glenbervie, bart. It was printed at Edinburgh, in two volumes folio, 1813. This work contains a complete view of the Scottish peerage, including the families of extinct and dormant, as well as existing titles. In 1823, Mr. Wood communicated to Mr. Nichols most of the biographical notes to the writers of the poetry comprised in *The Muses' Welcome to King James in Scotland in 1617*, printed in the "*Progresses, &c., of King James I.*"

27. M. Langlois, the celebrated historical painter, and member of the institute and legion of honour.

— At his residence in Burton-crescent, lieutenant-general sir Samuel Hawker, knight, G. C. H. colonel of the 3rd dragoon guards.

30. At Oxford, suddenly, in his 67th year, Tilleman Hobdtkinson Bobart, esq., superior bedel of the faculty of law, and formerly commoner of University college, of which society he became a member in 1790.

Lately. At Jedburgh, North Britain, the hon. David Leslie, a general in the army, uncle to the earl of Leven and Melville.

He was the third son of David the sixth earl of Leven and fifth earl of Melville, by Wilhelmina, posthumous daughter and nineteenth child of William Nisbett of Dirlerton, co. Haddington.

— At Niton, in the Isle of Wight, aged 44, the hon. William Jervis Jervis, eldest son of viscount St. Vincent.

1839.

JANUARY.

1. At Rome, aged 20, Edmund, eldest son of A. A. Goldsmid, esq., of Cavendish-square.

— In his 71st year, the right hon. Robert Alexander Dalzell, earl of Carnwath (1639), and lord of Dalzell (1629), in the peerage of Scotland, a baronet of Nova Scotia (1666), and a lieutenant-general in the army.

2. At Pisa, in her 96th year, her

DEATHS.—JANUARY.

royal highness the duchess Alexander of Wurtemberg, second daughter of Louis-Philippe king of the French.

This princess was born at Palermo, in April, 1813. Her marriage took place in October 1837, and the infant son whom she leaves behind her was born on the 30th August 1838.

No member of the royal family of Orleans excited so much interest as the princess Mary; her talents were various and of the highest order—her disposition most gentle and amiable; unfortunately her nervous temperament was extremely excitable, so much so, that for some time after the attacks on her father's life, she suffered so much that the king was frequently obliged to rise in the night to go and assure her of his safety, and this constant anxiety is supposed to have affected her health. It was immediately after her confinement that the first symptoms of her disease (consumption) showed themselves.

The French papers were unanimous in stating that her royal highness was universally esteemed and beloved, and that the grief felt by her royal parents and relations was universally participated in.

On the day after the arrival of the news of her death, the chamber of deputies went, in a body, to offer their condolences to the king. The procession was made on the impulse of the moment, and without preparation as to dress, but it was the most numerous that Louis-Philippe had ever received from the chamber.

The branch of the arts in which the princess Marie had chiefly distinguished herself was sculpture; and her *chef-d'œuvre* is a statue of Joan of Arc, which is in the museum at Versailles. The body of the princess was buried in the cathedral of Dreux, the place of sepulture of the house of Orleans.

3. At Durrow Abbey, King's county, aged 56, the right hon. Hector John Graham Toler, second earl of Norbury, county of Tipperary, and viscount Glandine, of Glandine, King's county (1827), baron Norwood, of Knockalton (1797), and baron Norbury, of Ballyorenode, county Tipperary (1800).

His lordship was the younger son of John first earl of Norbury, the late

eminent and witty chief justice of the common pleas in Ireland, by the right hon. Grace baroness Norwood, daughter of Hector Graham, esq. He succeeded to the earldom of Norbury on the death of his father, July, 1831, that dignity having been conferred with remainder to him. On the death of his elder brother, Jan. 1832, he also succeeded to the two baronies of Norbury and Norwood.

Lord Norbury was shot by an assassin, in his own plantation on New Year's day. The particulars of the murder as given in the evidence before the coroner will be found in the Chronicle. On the 6th January his lordship's body was conveyed to the tomb, in the presence of all his family, friends, tenantry, and thousands of the country people besides, who, notwithstanding the severity of the weather, came from remote parts of the country. In order to mark the horror entertained of the murder, as well as the disgust felt at the assassin being concealed—the family and gentry refused to permit the tenants of the late lord to carry the body to the grave—a privilege always conceded in Ireland, and now claimed as a right. Lord Charleville and lord Oxmantown were pall-bearers, supported on either side by the Rev. Shelton Gresson and Captain Tibeau. Captain Fox, Henry Magan, esq., the parish priests of Tullamore and of Clara, the rev. Messrs. O'Rafferty and Barry, Messrs. Thompson and Oldham, and sixteen other magistrates, who relieved each other, eight at a time, bearing the coffin.

An impressive discourse was delivered by Mr. Lover, the rector of Tullamore; and when the body had been laid in the vault, the rev. Mr. O'Rafferty, parish priest of Tullamore, addressed the assembled meeting at considerable length, and with much propriety. Amongst other observations, in reference to lord Norbury, he said—"I have known this illustrious nobleman in private and in public—his life has been spent in acts of charity, kindness, and liberality, and every one here must feel and mourn his loss as he would that of his father, benefactor, protector, and best friend. No one act of his life was calculated to give offence; and in ma-

: DEATHS.—JANUARY.

naging his estate, every act of his was necessary and just—nay, he would not say one unkind word, much less do any unkind act towards any one." After such a character as this—which it is believed is perfectly true—the murder and the concealment of all evidence tending to its elucidation, are only the more mysterious and extraordinary. The sincere sorrow and affliction that were manifested by the poor people upon this melancholy occasion, and the mild habits and unassuming manners of the deceased, go far to strengthen the supposition that it was not amongst those who knew him that a hand was found to commit the foul deed.

It should be added that lord Norbury took no part whatever in politics, inasmuch that his apathy in this respect had excited some disgust in the high Tory party.

His lordship married, Jan. 1808, Elizabeth, only daughter and heiress of William Brabazon, esq., and niece to sir Anthony Brabazon, of Newport, county Mayo, bart.; and by that lady had issue four sons, of whom two survived him, and eight daughters.

— At her brother's house, Cheltenham, Miss Seward, only daughter of the late lieutenant-general Seward.

4. At Sidmouth, in her 92d year, Margaret, widow of the rev. John Bradford Copleston, prebendary of Exeter, and mother of the present bishop of Llandaff. She was the nearest surviving relation of the poet Gay, her father the rev. Nicholas Gay, vicar of Newton St. Cyres in Devonshire, and the poet, being brothers' sons.

5. At Bracon Hall, in her 85th year Elizabeth, relict of Thomas Berney, esq., and sister to sir George Duckett, bart., of Hartham, Wilts. She was the third daughter of sir George Duckett, the first bart., judge advocate.

8. At his seat, Moydrum Castle, county Westmeath, aged 76, the right hon. William Hancock, viscount Castlemaine, and baron Castlemaine, of Moydrum; a privy councillor for Ireland, constable and governor of Athlone, and a governor of the county of Westmeath.

His lordship was the eldest son of the very rev. Richard Hancock, dean

of Achonry, by Sarah, only daughter and heiress of Richard Toler, of Ballyntore, county of Kildare, esq.

He was member for the borough of Athlone in the Irish parliament before the union of 1801; was returned to the first imperial parliament, and again at the general election of 1802. In August, 1803, he vacated his seat by accepting the office of escheator of Munster; and he was raised to the peerage of Ireland by patent, dated December 21, 1812, which created the barony of Castlemaine. In 1822, he was advanced to the dignity of a viscount.

Lord Castlemaine's death was very sudden, and took place during the awful storm which extended over the north of England and Ireland, and the account of which will be found in the Chronicle. He rose, as it appears, to fasten the shutters of a window of his bed-room, when a still more violent gust blew the window in, and his lordship was thrown upon his back, and almost immediately expired.

Lord Castlemaine married, March 1782, lady Florinda Le Poer Trench, eldest daughter of William first earl of Clancarty; but by that lady, who survives him, he had no issue. His brother Richard, now lord Castlemaine, has a numerous family.

9. At Birstall house, near Leicester, aged 61, John Mansfield, esq., a magistrate and deputy-lieutenant of that county, and formerly one of the representatives of the town of Leicester in parliament.

10. At his house, Maida-hill, aged 55, William MacMichael, esq., M.D. and F.R.S. Dr. MacMichael had risen to considerable eminence in his profession; but, about two years since, an attack of paralysis compelled him to retire from active life. He had previously published, among other things, "A Journey from Moscow to Constantinople, with a continuation of the route to Jerusalem, the Dead Sea, Petra, Damascus, Balbec, Palmyra, &c., in 1817-1818;" "The Gold-headed Cane," a very popular medical miscellany; and some professional essays.

— At Rome, in his 80th year, W. Earle, esq.

11. In his 87th year, John Hare, esq., of Firfield House, Knowle. His munificent donations to many public

DEATHS.—JANUARY.

institutions had familiarised his name to every citizen of Bristol, whilst his alms-giving was founded on the most exalted christian principles.

12. At his residence, Palmer's-green, Edmonton, aged 63, James Eykyn, esq., an active magistrate, and deputy-lieutenant of Middlesex.

Lately. At the Somerset hotel, Strand, aged 71, George Bragge Prowse Prinn, esq., of Charlton Park, Cheltenham, and Yeovil, Somerset. He was descended from a very ancient family in the county of Somerset, where he had a good estate, as also at Hatfield Peverell, in Essex, and at Charlton Park, in Gloucestershire.

14. In Margaret-street, Cavendish-square, aged 70, the Marquise de Willford.

16. At Hylands, near Chelmsford, in his 68th year, Peter Cæsar Labouchere, esq. Mr. Labouchere was a partner in the great mercantile house of Hope and Co., and died, it is believed, very rich. He married Dorothy Elizabeth, fourth daughter of the late sir Francis Baring, bart. and sister to the present sir Thomas Baring, and lord Ashburton; by whom he has left issue two sons, John, a banker in London, and the right hon. Henry Labouchere, now master of the mint and under-secretary for the colonies.

— In Bloomsbury-square, in his 83rd year, Edmund Lodge, esq., K.H. Clarenceux king of arms, F.S.A.

This eminent biographer was the only son that survived of the rev. Edmund Lodge, rector of Carshalton, in Surrey, by Mary, daughter and eventually sole heiress of Richard Garrard, esq., of Carshalton, a descendant of the ancient family of that name, formerly seated at Lambourn in Berkshire. At the age of sixteen, Mr. Lodge became a cornet in the king's own regiment of dragoons; but disliking the military profession, he remained only a short time in the army. Having shown a taste for literature and antiquities, the situation of blue-mantle pursuivant-at-arms was obtained for him in 1782. He was promoted to be Lancaster herald, October 1793; Norroy, June 1822; and Clarenceux, July 1838.

Mr. Lodge's talents first became known by the publication of the *Talbot*,

Howard, and Cecil papers in the College of Arms, which appeared in three volumes 4to. in 1791, entitled "*Illustrations of British History.*" His next publications were the memoirs attached to Chamberlaine's "*Imitations of original drawings by Hans Holbein,*" which came out in parts between 1792 and 1800. In 1810 he published (without his name) "*The Life of Sir Julius Cæsar,* with Memoirs of his family and descendants," in 4to. with numerous portraits. But the work upon which Mr. Lodge's reputation will principally rest are his well-known memoirs in the "*Portraits of illustrious Personages of Great Britain,*" originally published in 1821, and much and justly admired as a biographical composition. Mr. Lodge published no other work; and his only additional writings (besides a few unimportant articles) are the preface to the second edition of the *Antiquarian Repertory*, the preface to sir Hanbury Williams's poems, and some papers in the *Quarterly Review*.

Mr. Lodge was married, but left no children.

17. At his residence, Clifton, near York, aged 85, the rev. Henry Kitchingham, rector of North Witham, Lincolnshire, for sixty years vicar of Kirkby-on-the-Moor, Yorkshire, and senior prebendary of York cathedral.

— At Stowe, in his 63rd year, the most noble Richard Grenville Nugent-Temple Brydges-Chandos, duke of Buckingham and Chandos, marquess of Chandos, and earl Temple of Stowe (1822), marquess of Buckingham (1784) earl Temple (1749), viscount and baron Cobham (1718), and earl Nugent, in the peerage of Ireland (1776); K. G.; a privy councillor, lord-lieutenant and custos rotulorum of the county of Buckingham.

The late duke of Buckingham was born in London in 1776, and was the eldest son of George, first marquess of Buckingham, by Mary Elizabeth baroness Nugent, only daughter and heiress of Robert earl Nugent.

He completed his education at the university of Oxford, as a member of Brazenose college. On his coming of age, one of the seats in parliament for the county of Buckingham was opened for him by the resignation of his cousin, the right hon. James Grenville, who

DEATHS.—JANUARY.

accepted the Chiltern hundreds July, 1797, and in the following October was created lord Glastonbury. Earl Temple (as the duke was then called) became an active member of the house of commons, and frequently delivered his sentiments on general politics. He supported his kinsman Mr. Pitt during the first French war, but afterwards generally sided with the opposition party. On the formation of the ministry of his uncle lord Grenville, in February 1806, he was appointed deputy-president of the board of trade, and joint paymaster general of the forces; and thereupon sworn a privy-councillor. Those offices he of course relinquished with the Grenville administration in March, 1807. He continued to represent the county of Buckingham until the death of his father, February 1813, when he became marquess of Buckingham.

His grace was elected a knight of the garter in 1820; and in 1822, he was created duke of Buckingham and Chandos, and marquess of Chandos, by king George IV. as a mark of his majesty's personal friendship; and he was the only peer elevated to ducal rank during the reign of that monarch. The creation of earl Temple of Stowe was at the same time granted, with limitation on the failure of heirs male, under the patent of 1749, to Anna-Eliza-Mary, his grace's grand-daughter, and the heirs male of her body. In 1830, the Duke was appointed lord-steward of the household of his late majesty; but he resigned that office on the change of ministry in the following November.

His grace married in 1796 the lady Anna Eliza Brydges, sole daughter and heiress of James third and last duke of Chandos, and coheir with the marquess Townshend of the barony of Bourchier. It is through this noble lady, that the present duke (her only child) represents the younger sister of Henry the Eighth, Mary queen dowager of France, and duchess of Suffolk, to whose issue, by the last will of that monarch, the crown of these realms was limited in remainder on the contingency of a failure of issue in other lines. Hence the duke's name of Plantagenet, (in connection with those of Grenville, Brydges, and Temple,) he being the eldest representative of

the line of our ancient kings, unmixed with any foreign blood.

After his retirement from public life, the duke of Buckingham found constant employment among the varied literature and works of virtu with which Stowe, his favourite residence, abounds. To the latter of these he greatly added by his own acquisitions of rare and exquisite specimens of art, made while in Italy. He was particularly fond of fine engravings, and laid out vast sums of money in making a collection of rare and curious prints. Some of these were dispersed by auction a few years ago; the sale lasted for thirty days, and was arranged in 4,058 lots. A magnificent collection, however, it is believed, still remains at Stowe, including the very extensive illustration of "Granger's Biographical History of England," which contains a vast number of fine and rare portraits, the acquisition of which occupied him many years, at a cost of many thousand pounds.

17. Aged 62, James Lonsdale, esq., of Berners-street, an artist of long and justly established reputation.

— At Peckham, aged 86, John Lawrence, esq., author of the "Philosophical and Practical Treatise on Horses," the "New Farmers' Calendar," and other works. He was in early life one of the first advocates for legislative enactments to suppress cruelty to animals, and his writings were of eminent service.

18. In Margaret-street, Cavendish-sq., aged 22, Hugh Gordon, youngest son of the late Robert Gordon, of Madras.

— In Montagu-place, at the residence of her daughter, the countess of Montara, lady Nisbett, relict of sir J. Nisbett, bart.

— In London, Upper Canada, in his 50th year, the hon. John Maitland, C.B., lieutenant-colonel of the 32nd regiment, the third son of James, present and eighth earl of Lauderdale.

— At Oxford, aged 75, Herbert Parsons, esq., senior partner in the Oxford old bank. He had been an active and influential member of the old corporation, and his services, for many years as treasurer to the city, were invaluable. Mr. Parsons was a person of strong sense, sound judgment, and inflexible integrity; in all matters of local history or civic prac-

DEATHS.—JANUARY.

tice his information was extensive and correct. He was brother to Dr. Parsons, master of Balliol, and bishop of Peterborough. Mr. Parsons declined the honour of a baronetcy at the coronation of George the Fourth.

— At Leamington, aged 55, Miss Diana Manners Sutton, eldest daughter of the late archbishop of Canterbury, and sister of the present viscount Canterbury.

19. At Luxembourg, aged 68, Louis William Frederick, reigning landgrave of Hesse Homburg, governor of Luxembourg for the Germanic confederation, &c. He succeeded his brother (the husband of the princess Elizabeth of England) in 1829. Leaving no issue, he was succeeded in the Landgraviate by his brother, Philip Augustus.

— At St. Alban's, after six weeks' illness, aged 86, James Brown, esq., F.S.A.

This venerable gentleman was the only son of James Brown, esq., of Stoke Newington, who in 1741 went out as chief agent to the Russian company, and established a factory in Persia. His son, the subject of this notice, was a judicious antiquary, and accurate genealogist. In 1782 he drew up, but without his name, for the "Bibliotheca Topographica Britannica," "Sketches of the History and Antiquities of the Parish of Stoke Newington." In 1793 he was elected F.S.A., and he became one of the oldest members of that society. He was, for many years, a most acceptable correspondent to the Gentleman's Magazine, and to Mr. Nichols, whilst compiling his "Literary Anecdotes," and in 1807 he drew up, for his friend Mr. Gough, an account of the Abbey Church of St. Alban's, which was incorporated into the history of that church published by the Society of Antiquaries in 1810.

90. At Dublin, Henry Kyle, esq., brother of the lord bishop of Cork.

91. At Catton, near Norwich, aged 37, the rev. Dacre Barrett Lennard, rector of St. Michael's at Plea in that city, and chaplain to the duke of Sussex and to lord Western. He was the sixth son of sir Thomas B. Lennard, of Belhus, in Essex, bart., by Dorothy, sister of sir John St. Aubin, bart.

☞ *Lately*. In Italy, the prince Lieven, for many years ambassador at the Bri-

tish court from the emperor of Russia. Count Lieven was first appointed Russian ambassador to this country in the year 1812. He was created a prince of the Russian empire by the present emperor Nicholas. He quitted England in 1834, when he received the appointment of governor to the grand duke Alexander, and he died in Italy whilst fulfilling the duties of that charge.

23. At the Cape of Good Hope, major G. D. Stoddart, Bengal cavalry.

22. At Edinburgh, aged 54, the right hon. Christiana, countess dow. of Dalhousie. She was the only daughter and heiress of Charles Brown, esq.; was married in 1805, and left a widow on the 21st March last, having had issue three sons, of whom the present earl is the only survivor.

— At Northampton, aged 72, Catharine, widow of sir George Throckmorton, bart., of Weston Underwood. She was the only daughter of Thomas Stapleton, of Carlton, county of York, esq., was married in 1792, and left a widow, without issue, in 1826.—Lady Throckmorton was the Catharine of the poet Cowper, and there is a pleasing portrait of her in the recent edition of his works. The body of this amiable lady was deposited in the family vault at Weston Underwood. After her death, a valuable library was sold at her house in Northampton, where she had long resided.

— At Bath, aged 31, Christiana Cranston, wife of G. C. Tugwell, esq., and Thomas Cranston and Charles, her twin children of eight years of age. They were poisoned by prussic acid, which the poor mother, who was insane from the effects of a milk fever, mixed with some sherry.

23. At Burford Lodge, Dorking, in her 75th year, Mrs. Barclay, relict of George Barclay, esq.

— In the village of Sutton-at-Hone, near Dartford, Kent, aged 66, Mrs. Grace Lock, a miserable old miser, who after enduring fifty years of voluntary privations and sufferings, died worth 30,000*l.* of personal property, independent of large freehold estates.

— At his seat, Chalderton Lodge, near Amesbury, lieut. gen. sir John Elley, K.C.B., K.C.H., K.M.T., and K.S.G., governor of Galway, and col. of the 7th lancers. This distinguished

DEATHS.—JANUARY.

officer entered the army as a private soldier. He served with distinction throughout the Peninsular war, and had the command of the rear-guard of cavalry, at the battle of Talavera. He was present at Vittoria, Salamanca, Toulouse, &c., and finally at Waterloo. He represented Windsor in sir R. Peel's parliament. Sir John Elley left large bequests to various religious institutions, and also legacies to provide plate for the use of the mess-table of the 7th and 17th lancers.

— At Wavertree, Mary, wife of John Backhouse, esq., mother of the under-secretary of state.

24. At Bristol, aged 81, Joseph Smith, esq., barrister-at-law, one of the benchers of the society of Gray's-inn, and assessor of the Bristol court of Requests.

— At his residence, Grove House, Battersea, in his 94th year, Thomas Stirling, esq., coroner for the county of Middlesex, and clerk to the county magistrates.

25. At the seat of the earl of Charlemont, in his 33rd year, the right hon. Robert Bermingham, visc. Clements, M.P. for the county of Leitrim, eldest son of the present earl of Leitrim, by Mary, eldest daughter and coheirress of William Bermingham, esq.

27. At Titley Court, Hereford, in her 69th year, lady Coffin Greenly, wife of admiral sir Isaac Coffin, bart.

— At St. Thomas's, Jamaica, aged 60, the hon. sir Charles Paget, G.C.H., vice-admiral of the White, and commander-in-chief on the West India and North American stations; brother to general the marquess of Anglesey, K.G., G.C.B.

Sir Charles Paget was the fifth son of Henry seventh lord Paget, and first earl of Uxbridge, by Jane, eldest dau. of the very rev. Arthur Champagne, dean of Clonmacnois. Sir Charles sat for many years in parliament. He was first elected for Milbourne Port in June 1804, on the retirement of his eldest brother the present marquess of Anglesey. At the general election of 1806, he was returned for the town of Carnarvon, in the place of his brother Edward; and continued to represent that borough from that time until the dissolution of 1830. In June 1831, he was again chosen, and he gave his vote with the majority on the passing

of the reform act in September following. He was again elected in 1833, but retired in 1837. Sir Charles's death ensued after a violent attack of yellow fever. Of his suite of twenty persons no less than six had died of the same complaint.

Lately. At Roehampton, John Poulett Thomson, esq., of Waverley Abbey.

Mr. Thomson was the only son of Andrew Thomson, esq., of Roehampton, by Harriett, widow of — Wright, esq., heir of John Buncombe, of Gotherst, county of Somerset, esq. He purchased Waverley Abbey about 1796, of the rev. sir Charles Rich, bart. By royal sign manual bearing date July 1814, he took the surnames and arms of Buncombe and Poulett, in virtue of his descent through the family of Buncombe, of North Petherton, Wilts, from sir Amyas Poulett, of Hinton St. George, privy councillor to queen Elizabeth. Mr. Thomson married Charlotte, daughter of John Jacob, of Salisbury, M.D., by whom he had issue three sons, viz., Andrew Henry Thomson, esq., formerly a director of the Bank of England, who was drowned this year in the river Thames, near Marlow; George Julius Poulett Scrope, esq., M.P. for Stroud, who in 1821, took the name of Scrope upon his marriage; and the right hon. Charles Poulett Thomson, now president of the Board of Trade, and M.P. for Manchester; and six daughters.

— At Albany, United States, general Stephen Van Rensselaer, formerly lieut.-governor, and, at the time of his death, chancellor of the university, president of the canal board, and senior major-general in the militia of that state.

— At her house in Hamilton-place, London, in her 74th year, the most noble Elizabeth Leveson Gower, duchess-dowager of Sutherland, countess of Sutherland (1229), and lady Strathnaver, in the peerage of Scotland.

Her grace was born at Leven Lodge, near Edinburgh, in 1765, and was the only surviving child of William eighteenth earl of Sutherland, by Mary, daughter and coheirress of William Maxwell, of Preston, in the stewardry of Kirkcudbright, esq. She was only a twelvemonth old when, in the month of June 1766, she suffered the

DEATHS.—JANUARY.

loss of both her parents. They were staying at Bath, with the hope of obtaining relief from the melancholy impressed by the loss of their elder daughter; when the earl was attacked by fever, and the countess was so overcome by the fatigue and anxiety of his tedious illness, that she died sixteen days before the earl himself fell a victim to disease. By this calamity the orphan daughter became the sole heiress of their titles and estates. A competition arose for the earldom of Sutherland; and counter-claims were advanced on the part of sir Robert Gordon, of Gordonstoun, bart., as heir male of Alexander, twelfth earl of Sutherland, who died in 1584, and also on the part of George Sutherland of Torse. Her ladyship's cause was very ably defended by her professional advisers, and, after various proceedings, the house of lords gave judgment in her favour, as "heir of the body of William, who was earl of Sutherland in 1275."

The countess's claim was thus confirmed, and her rights established to the most ancient title existing in Britain (conferred certainly before 1245. This decision produced the highest national satisfaction, and public rejoicings took place in consequence, in different parts of Scotland. The countess passed her youth in her native country under the superintendence of her grandmother lady Alva (widow of the 17th earl of Sutherland, and afterwards the wife of Charles Erskine, of Tinwald and Alva, a lord of session, and lord justice clerk), who died in 1806 in her 90th year.

In 1779 the countess of Sutherland raised a regiment for the defence of Britain, called the Sutherland fencibles, which was completed to the full number of 1000 men in twelve days, and the command given to her cousin-german William Wemyss of Wemyss. At the commencement of the war in 1793, the countess again raised a regiment of fencibles, also under the command of the same officer; and that regiment, in 1798, volunteered their services to assist in quelling the rebellion in Ireland, where they were actively and successfully employed until an end was put to those unhappy disturbances. Being afterwards disbanded at the same time with the other corps

raised upon a similar footing, it was in 1800 incorporated into the line, and became the 93rd foot, and the command continued to be held by general Wemyss until his death.

On the 4th September, 1783, the countess of Sutherland was married to the right hon. George Granville Leveson-Gower, viscount Trentham; her apparent to earl Gower; who, on the elevation of his father to the marquessate of Stafford, assumed the title of earl Gower in February following; was called to the house of peers as baron Gower in 1799; afterwards succeeded as marquess of Stafford in 1803; and was finally created duke of Sutherland in January, 1833. His grace was ambassador in France during the eventful period from May 1790 to August 1792.

In conjunction with his grace, the duchess of Sutherland was a very liberal patron of the fine arts, and was herself no mean proficient with the pencil and the burin. A collection of views in Orkney and on the south-eastern coast of Scotland were drawn and etched by her grace between the years 1803-7, and, with an account of the Orkney Islands, printed in one volume folio for private distribution.

Her grace had six children, three sons died in infancy; and the survivors are, 1. George Granville, second duke, and now earl of Sutherland; 2. the right hon. Charlotte Sophia, countess of Surrey; 3. the right hon. Elizabeth Mary, countess Grosvenor; and 4. lord Francis Egerton, who assumed that name on inheriting the Bridgewater estates after his father's death.

The duchess's body was removed from her town mansion on the 9th of Feb. The procession, which included three royal carriages and between seventy and eighty of the nobility and gentry, accompanied the hearse to Blackwall, where the body was embarked for Scotland.

The remains of her grace being landed at Aberdeen were placed in a hearse and the funeral procession formed, which included the lord provost of Aberdeen, the sheriff of Sutherlandshire, and a deputation from the college. The bells of all the churches were tolled, and every mark of respect, public and private, exhibited, which could have been paid even to royalty. On reaching Dunrobin Castle the body

DEATHS.—JANUARY.

laid in state two days, and was then deposited in the family vault at Dornoch, by the side of the coffin of the late duke of Sutherland.

28. At Hampstead, aged 86, sir William Beechey, knight, royal academician. Sir W. Beechey was originally designed for the legal profession, and was articled to a Mr. Owen, solicitor of Tooke's court. His talents, however, were not of the kind suited to the law; and having accidentally made the acquaintance of several students of the royal academy, he became so enamoured of the fine arts, that he prevailed on Mr. Owen to receive a young man whom he had procured as a substitute, and, in 1772, was admitted as a student at Somerset House. The Ruspini family was, we believe, the first picture that he sent to the exhibition of the Royal Academy. From London, Mr. Beechey went to Norwich, where he began with painting small conversation pieces, in the manner practised first by Hogarth. On his return to the metropolis, after an absence of four or five years, his talents becoming known, he was gratified by general celebrity. He was elected an associate of the Royal Academy in 1793, and in the same year painted a whole-length portrait of queen Charlotte. In 1798 Mr. Beechey painted a large equestrian portrait of his majesty George III., with the prince of Wales and duke of York, reviewing the 3d and 10th dragoons, a well-known picture, which has been considered his *chef d'œuvre*. The same year he was elected a member of the Royal Academy, and had the honour of knighthood conferred on him by the king. Sir William, soon after this, painted a suite of portraits of the royal princesses for the prince of Wales, and whole-length portraits of all the royal family for the gothic palace erecting at Kew. There is also an apartment in Frogmore-palace which is decorated entirely with portraits by the same artist. In fact, sir William painted the greater portion of the people of rank and fashion, forming a considerable amount of pictures, which were admired for the accuracy of the likeness, the general management, and tone of colour. Sir William was elected a Royal Academician, on the death of Mr. Hodges, in 1797. He was twice

VOL. LXXXI.

married, and had a large family. His youngest daughter was married in 1825 to lord Grantley. His son, captain Frederick W. Beechey, R.N., F.R.S., is well known as an experienced and meritorious naval officer, having, amongst other arduous duties, been one of captain sir E. Parry's lieutenants in the second expedition towards the North Pole.

31. Aged 78, R. Rickword, esq., of Longbridge Deverill, Wilts. This gentleman was born at Plumpton, in Sussex. He was the first to introduce the Southdown sheep into the county of Wiltshire.

Lately. At Drogheda, aged 108, the rev. Thomas Moore.

Lately. At Purneah, Bengal, aged 21, lieutenant Ximenes, 16th regiment, eldest son of major-general sir David Ximenes, of Bear Ash, Berks.

— Aged 56, lieutenant-colonel, baron George Noleken.

Lately. Drowned, in Columbia river, while in command of one of the ships of the hon. Hudson's Bay Company, David Home, esq., formerly H.C.S., second son of the late James Home, esq., of Linhouse, Edinburghshire.

— At Toronto, Canada, the hon. Duncan Cameron, provincial secretary and registrar.

— At the hospital at Chaillot, the Polish general Wroniecki. He was in the prime of life, and was one of the most distinguished officers of the Polish army, created by the grand duke Constantine. His works on the Art of War are highly esteemed.

— At Broglie, in Normandy, the duchess de Broglie, grand-daughter to Necker, and daughter to the celebrated Madame de Stael. Her life was a beautiful model of female excellence. She is survived by her husband and two sons, the youngest only three years of age, and one daughter, married to the viscount D'Haussonville.

— On her estate of Biala-Cerkiew, in her 80th year, the celebrated countess Branitska, niece of Potemkin. She had been a favourite of the empress Catharine, on which account the emperor Alexander always treated her with the utmost distinction and respect, addressing her by the name of *matushka*, or mother. The countess left an enormous fortune, which it is

Y

DEATHS.—FEBRUARY.

said will be partly inherited by count Woronzow, her son-in-law.

— At New York, old Daponte, the Italian poet. It is said that Mozart died in his arms. He laid claim to the poetry of "Don Giovanni," "Marriage of Figaro," and a host of operas.

— Mr. William Field, of Launceston, a wealthy convict, who left property to the amount of 300,000*l*.

— At Nice, Mary, relict of Nath. Cavenagh, late of Bath, and of county Wexford.

— At Dresden, Arthur Hughes, esq. He was the youngest son of the rev. sir Robert Hughes, the third bart. of East Bergholt, Suffolk, and was married to the hon. Anna Maria Petre, sister to lord Petre, in January, 1838.

— At Grenada, captain H. Jarvis, 70th Foot, son of lieutenant-colonel Jarvis of Donnington Hall, county Lincoln.

FEBRUARY.

1. At Brickhill-house, Catharine, relict of Thomas Lynch Galeborn, esq., sister of the late and only surviving child of sir Joseph Mawbey, of Botleys, county Surrey, bart., upwards of thirty years knight of the shire.

— At Pesh, aged 97, baron Appel de Kapocsany, a distinguished agriculturist. It was he who first introduced the potatoe into Hungary, and the late emperor Francis the 1st, wishing to reward his agricultural labours, created him a noble, with the title of baron, and made the potatoe figure in his coat of arms.

4. At her ancient seat, Dunsland, in her 72nd year, Mary, relict of the rev. W. Holland Coham, of Coham, and last surviving sister of the late Arcott Bickford, esq., of Arcott and Dunsland.

5. In Mount-gardens, aged 76, R. Cabanel, esq., architect. He was a native of Aix-la-Chapelle, but had lived in England since his boyhood. He was the architect of the stage of old Drury-lane theatre, and was the inventor of the roof known by his name, besides a number of machines and other matters of much value.

6. Mary Anne, wife of colonel Blagrove, of Calcot Park.

7. In Grosvenor-street, aged 73, Frank Sotherton, esq., admiral of the White squadron of her majesty's fleet, and late M.P. for Nottinghamshire.

8. At Castle Hill, Dorsetshire, aged 64, William Williams, esq., formerly of Belmont-house, Surrey; and Portland-place, London, and M. P. for Weymouth.

Mr. Williams was the youngest son of Robert Williams, esq., formerly of Moor Park, Hertfordshire, and of Bridehead, and M.P. for Dorchester. During two parliaments, from 1818 to 1826, Mr. Williams was one of the members for the united boroughs of Weymouth and Melcombe Regis. As a politician, he supported the cause and maintained the principles of civil and religious liberty. He filled for many years, with zeal and ability, the office of provincial grand master of freemasons for Dorsetshire, and compiled the laws and constitutions of the order, by authority of the grand lodge of England, being deeply skilled in the arcana of masonry.

— At his residence, in the Quadrant, Regent-street, in his 70th year, John Vendramini, esq., the distinguished engraver.

He was born at Roncade, near Bassano, and received his professional education in London from the celebrated Bartolozzi. In 1805 he paid a visit to Russia, where his talents were justly and highly estimated; and he enjoyed the uninterrupted patronage of the emperor, and the favour of many of the most powerful nobles. So great indeed was the value attached to his services, that he was absolutely refused a passport to enable him to leave the country and rejoin his family; and it was only through the friendship and zeal of his compatriot, the duke of Sarsapriolo, the Neapolitan ambassador, that he could effect his escape in the character of a courier charged with despatches. On his return to England, Mr. Vendramini pursued his career with diligence and success. Among his many works, the Vision of St. Catherine, after Paul Veronese; the St. Sebastian, after Spagnoletto; and the Leda, after Leonardo da Vinci, may be mentioned as faithful and masterly transcripts from these great painters. Among his greatest efforts,

DEATHS.—FEBRUARY.

may also be named his large and noble engraving of the Raising of Lazarus, from the Sebastian del Piombo, in the National Gallery.

9. At his seat, Swansfield, Northumberland, in his 91st year, Henry Collingwood Selby, esq., late clerk of the peace for Middlesex.

— Christopher Salter, esq., late of Stoke Poges. He was formerly high sheriff of the county, and for many years acted as a magistrate and deputy-lieutenant.

11. At Stephen's-green, Dublin, in his 63rd year, the right hon. William Oaurin, formerly attorney-general for Ireland during nearly fifteen years.

12. At Bradford House, Belbroughton, Worcestershire, aged 46, Edward Hensfield, esq., a commander in the royal navy.

— Aged 30, Arthur C. P. Taylor, youngest son of James Taylor, esq., of Upper Harley-street, and late member in council at Madras.

14. At Paris, commander John Jekyll, R.N. He evinced much ingenuity in several mechanical inventions, and obtained a patent for improvements in steam and vapour baths.

— In South Audley-street, Charlotte, widow of Henry Hoare, esq., only son of the late sir Richard Colt Hoare, bart., of Stourhead, Wilts. She was the only daughter of sir Edward Dering, the seventh baronet, of Surrenden Dering, in Kent.

15. At Brighton, aged 28, C. T. Egerton, esq., eldest son of lieutenant-general sir Charles Egerton.

— At the rectory, Carlton, Derbyshire, sir George Eyre, K.C.B. and K.C.M.G., vice-admiral of the red.

— At Trinidad, aged 34, Stephen Rothery, esq., her majesty's attorney-general for that island.

16. Aged 76, James Boaden, esq., an eminent dramatic author. This gentleman was the son of Mr. William Boaden, many years in the Russia trade: the family is Cornish, and Mr. Boaden's grandfather died a tenant of sir Francis Bassett. Mr. James Boaden came with his parents to London when very young, and, after receiving the proper education for a man of business, he was placed in the counting-house of the late alderman Perchard. He early became attached to literature and the drama; and when

Mr. John Bell established the *Oracle* newspaper, he received, for many years, the aid of Mr. Boaden's talents, both in the conduct of his paper, and in the arrangement of his various publications. It should be observed, that the newspapers of that day were less political than at present; they were rather a repository for the effusions of men of taste and genius, than a mere register of events or a vehicle for party politics. The columns of the *Oracle*, at the period we speak of, abounded with observations on the arts, with specimens of elegant poetry, and sound criticism: the progress of the drama was accurately marked, and the claims, both of poet and actor, closely investigated. In the execution of these duties, Mr. Boaden, from an admirer of the stage, became a writer for it. His "*Pontainville Forest*," produced at Covent Garden in 1794, was perfectly successful, and besides the copyright, for which he obtained a hundred guineas, realized a handsome sum. About this time, Mr. Boaden entered himself of the Middle Temple; but it does not appear that he was ever called to the bar. His next performance was a tragedy called the "*Secret Tribunal*," acted at Covent Garden in 1795. This was followed by the "*Italian Monk*," from Mrs. Radcliffe's "*Confessional of the Black Penitents*;" the "*Cambro-Britons*;" the "*Voice of Nature*," adapted to our stage from the French of M. Caig-nex; and lastly, the "*Maid of Bristol*," all acted with great success at the Haymarket. These, with the addition of "*Aurelio and Miranda*," from Mr. Lewis's romance of "*The Monk*," performed at Drury-lane in 1798, appear to be the whole of Mr. Boaden's contributions to the stage. When the Shakespeare forgeries were first exhibited to the world, Mr. Boaden, in common with all admirers of the illustrious bard, felt a strong interest with regard to those MSS. He wished to find them genuine, and too easily concluded they were so; but, upon more scrupulous examination, Mr. Boaden found that his enthusiasm had outrun his judgment. He immediately published a pamphlet, entitled "*A Letter to George Steevens, esq.*," in which he stated explicitly the grounds of his disbelief, and clearly demonstrated the

DEATHS.—FEBRUARY.

forgery. The public were moreover indebted to Mr. Boaden for the memoirs of his friend Mr. Kemble, Mrs. Siddons, Mrs. Jordan, and Mrs. Inchbald. Two ingenious performances, bearing somewhat of the character of novels, entitled "The Man of Two Lives," and "The Doom of Giallo;" and two others—of a different class and of considerable merit—namely, "An Inquiry into the authenticity of the various pictures and prints of Shakspeare," and an able tract "On the Sonnets of Shakspeare," complete the list of Mr. Boaden's publications. Mr. Boaden left nine children, one of whom is known as an artist; another (a daughter) has manifested some talent as a dramatic writer.

17. At Edinburgh, in his 89th year, the right hon. William Adam, of Blair Adam, lord-lieutenant of the county of Kinross, lord chief commissioner of the jury court of Scotland, a bencher of Lincoln's-inn, &c. He was a son of John Adam, esq., of Maryburgh, co. Kinross, formerly an architect at Leith. At the age of 24, Mr. Adam was introduced into parliament, being returned for Gatton at the general election of 1774. To the parliament of 1780 Mr. Adam was returned for the Wigton district of burghs; to that of 1784 for the Elgin district; to that of 1790 for the county of Kinross; from which he retired, by accepting the stewardship of the Chiltern hundreds in March 1794. Mr. Adam attached himself to the party of lord North; and the first memorable event in his political career was a duel with Mr. Fox, which took place on the 29th November 1778, in consequence of expressions used towards him by Mr. Fox in the house of commons: in this affair, Mr. Fox was wounded. In September 1780, Mr. Adam was appointed treasurer of the Ordnance, which office he held until April 1782; and again for eight months, from April to December 1783. In 1782, Mr. Adam became a member of the English bar; in his profession he held a distinguished rank. He was for many years auditor to the duke of Bedford, in which office he was succeeded by his son. He had for a long period very considerable practice before committees of the house of commons. In 1790 he was one of the managers appointed to draw

up and conduct the articles of impeachment against Mr. Warren Hastings. He was also introduced to the notice of the prince of Wales, who honoured him with his personal friendship, and appointed him successively to the principal legal offices in his establishment. In 1802, Mr. Adam was appointed counsel to the East India company. He was one of the counsel retained by lord Melville at his trial before the house of peers in 1806; and in 1809 he took part in the defence of the duke of York against the charges of colonel Warble. Mr. Adam did not sit in parliament after his retirement in 1794 until the year 1806, when he was elected for the county of Kinross, as he was again in 1807. In March, 1816, he was sworn a member of the privy council; and shortly after, on the first establishment of the civil jury court in Scotland, he was made its principal judge, under the title of lord chief commissioner, which office he continued to hold until his death. Mr. Adam married, in 1777, the hon. Eleanora Elphinstone, second daughter of Charles, tenth lord Elphinstone. By this lady he had issue a numerous family; of whom are—William George Adam, esq., accountant-general of the Court of Chancery, and auditor to the present duke of Bedford; Vice-admiral sir Charles Adam, K.C.B., one of the lords commissioners of the admiralty, and M.P. for the shires of Glackmanman and Kinross; Lieut.-general the right hon. sir Frederick Adam, K.C.B. and G.C.M.G., formerly lord high commissioner of the Ionian islands.

— At Netley, Surrey, aged 84, Edmund Shallet Lomax, esq.

— Cecil Wyld, third daughter of the late rev. G. Wyld, of Spaen, and sister of G. H. Walker Henenge, esq., M.P.

— At the family seat, near Cashel, the wife of sir John A. Fitzgerald, bart. She was the daughter of G. Pennedather, esq., of Cashel.

— At Bath, Joseph Houlton, esq., of Farleigh Castle, lieut.-colonel of the 1st Somersetshire militia. He was the eldest son of Joseph Houlton, esq., of the same place, by Dorothea-Sarah, his wife, of the ancient family of Torriano, of Italy.

— At Whitchurch Canonisorum, Dorsetshire, the rev. Francis Goforth,

DEATHS.—FEBRUARY.

vicar of that parish, a prebendary of Wells, and a justice of the peace for the county of Dorset.

— At Leamington, aged 73, Catherine, wife of E. Brenton, esq., judge of Newfoundland.

— At Charlton, in consequence of drinking a liniment by mistake for a cough mixture, John Dynely, esq., of Gray's Inn, brother of major Dynelley, R. Horse Art.

— At his house in the Circus, Bath, in his 67th year, the rev. Thomas Falconer, M.A. and M.D. He was born in that city, and was the only child of the late Dr. Falconer, whose eminence as a physician, and distinction as a scholar, and a scientific inquirer, are well known. The early elements of his classical education he received at the cathedral school at Okeford, in which city his uncle, the learned commentator of the Geography of Strabo, was at that time resident.

When between fifteen and sixteen years of age, he was elected a scholar of Corpus Christi college, Oxford, where he succeeded to a fellowship about the year 1796. In 1797 he published a translation, with many excellent notes, of the *Bemplus* of Hanno. He also edited, with the assistance of Mr. Halliwell, of Brazenose, the celebrated edition of the Oxford Strabo; the notes of which had been prepared for the press by his uncle, Mr. Thomas Falconer.

Having entered into the church by Mr. Falconer, was on several occasions elected a select preacher in the university; and published the sermons he delivered. In 1810 he filled the office of Bampton Lecturer, and his lectures were published, under the title of *Certain Principles in Evanston's Dissonance of the four Evangelists*, examined. He afterwards published several minor works, among which the most remarkable was, "A Defence of Eusebius, Bishop of Caesarea," and he was the author of one or two literary articles in the *Quarterly Review*.

In 1820, Mr. Falconer proceeded bachelor and doctor in medicine. He had spent the previous year at Edinburgh, where he had at an earlier period of life remained for two sessions, during which he regularly attended the medical classes. He soon afterwards commenced preparing, for the

press, a translation of the Geography of Strabo, which he finished, and was engaged in arranging to print it at the time of his decease.

— 19. At the palace, Lichfield, Helena, widow of sir Charles Oakeley, bart., governor of Madras, and mother of the rev. sir Herbert Oakeley, bart. She was the daughter of Robert Beaton, of Killeric, county of Fife.

— At Alvington House, Stonehouse, aged 64, rear-admiral sir John Ferris Devonshire, K. C. H.

— At Aske Hall, near Richmond, Yorkshire, in his 73rd year, the right hon. Lawrence Dundas, earl of Zetland (1838), second baron Dundas of Aske (1794), and the third baronet (1762); lord lieutenant of Orkney and Shetland, pro-grand-master of the Freemasons, L.L., D. and F., S. A.

The earl of Zetland was the eldest son of Thomas, first lord Dundas, by lady Charlotte Fitz-William, the second daughter of William, third earl Fitz-William. He was first returned to parliament for the borough of Richmond at the general election of 1798; and sat in parliament for that place and the city of York alternately, until, on the death of his father, he succeeded to the peerage June 1820.

Mr. Dundas, in his parliamentary conduct, always took a decided part with the Whigs. At the coronation of her present majesty, he was advanced to the title of earl of Zetland, by patent dated June, 1838.

His lordship married in 1794, Harriet, third daughter of general John Hale, and by that lady had issue four sons (of whom only two are now living) and three daughters.

— In Grafton-street, in his 86th year, the right hon. Alleyne Fitz Herbert, baron St. Helen's in the peerage of Ireland (1791), and baron St. Helen's in the Isle of Wight, in that of the United Kingdom (1801), G. C. H. a privy councillor of England and Ireland, M. A. and F. S. A.

Lord St. Helen's was the fourth son of William Fitzherbert, esq., of Tisington, in the county of Derby. He was educated at Derby and Eton, and sent to Cambridge in 1770, where he gave an early indication of his talents by carrying off the first classical medal. On leaving the university he travelled in France and Italy, and

DEATHS.—FEBRUARY.

having on his return home entered into the diplomatical profession, he was appointed minister of this country at the court of Brussels in 1777. At that court he resided till August, 1782, when he was sent to Paris with the commission of sole plenipotentiary for negotiating a peace with the crowns of France and Spain, and the States General of the United Provinces, which arduous and important work he had the happiness to accomplish by the conclusion of the several preliminary treaties with those powers, which were signed at Versailles in 1783. He had also a leading share in negotiating the peace with America, which was concluded at Paris at the same period. In August, 1783, he was appointed envoy extraordinary to Catherine the second, empress of Russia, whom he accompanied in 1787 on her memorable tour to the Crimea. At the close of the same year he returned to England, was created a privy councillor, and appointed chief secretary to the lord lieutenant of Ireland. In the spring of 1789 he resigned that employment, and was sent as his majesty's envoy extraordinary to the Hague; and in May 1790 he repaired to Madrid, invested with the rank of ambassador extraordinary, and the necessary powers for accommodating the differences which had arisen at that period between Great Britain and Spain respecting the right of British subjects to trade at Nootka Sound, and to carry on the southern whale fishery. These differences were amicably adjusted by the convention of the Escorial (signed in October, 1790), which was highly approved of by the king and both houses of parliament; and his majesty was then pleased, as a reward for his ambassador's services, to create him an Irish peer, with the title of baron St. Helen's. In 1793 he concluded a treaty of alliance between his majesty and the crown of Spain, but the climate of that country disagreeing with his health he quitted it at the beginning of 1797, and was appointed ambassador at the Hague, where he remained till the ensuing winter, when the legitimate government of the Dutch Republic was overturned by the invasion of the French.

His latest foreign mission was to St. Petersburg, whither he was sent as

ambassador in May, 1801, to congratulate the emperor Alexander on his accession to the throne of Russia, and to propose terms for accommodating the differences which had arisen between Great Britain and the three Baltic powers, towards the close of the reign of the emperor Paul, and had occasioned the attack on Copenhagen, and other mutual hostilities. This negotiation he happily brought to a conclusion within the short period of a fortnight after his arrival in Russia, by the signature of the convention of St. Petersburg of the 17th June, 1801. Addresses to his majesty, approving this convention, were voted by both houses of parliament, and immediately after its signature lord St. Helen's was promoted to a peerage of the United Kingdom by the title of baron St. Helen's of the Isle of Wight. In September, 1801, he attended the coronation of the emperor Alexander at Moscow, where he signed a treaty with the Danish plenipotentiary, in virtue of which that crown became an acceding party to the convention of St. Petersburg. He also concluded in March, 1802, a similar treaty with the plenipotentiary of the crown of Sweden, and having thus accomplished all the objects of his mission to Russia, he returned to England in the autumn of the same year. In 1803 he was appointed one of the lords of his majesty's bedchamber, which office he continued to hold till 1830.

His remaining years were past in honourable retirement, cheered by the society of the numerous friends whom he attracted to the last by the charms of his conversation, the unimpaired vigour of his mind, and the untainted sincerity of his heart.

He united the qualities of a man of the world, a man of business, a scholar, and a philosopher, in a remarkable degree. He enjoyed the confidence and favour of kings, but preserved his independence. He had the welfare of his country at heart, and in that profession to which the more active portion of his life was devoted he was not surpassed by any of his contemporaries, whether as regards ability, good faith, or success.

Lord St. Helen's was never married; and his nephew sir Henry Fildes, bart. of Timington Hall,

DEATHS.—FEBRUARY.

Derbyshire, was his lordship's heir. The peerages are both extinct.

21. At his residence, Cochrane's-terrace, St. John's Wood, in his 77th year, Charles Rossi, esq.

This distinguished sculptor was born in Nottingham, and commenced his professional education in the atelier of Lucatelli, an Italian sculptor, in London. Having obtained admission as a student at the Royal Academy, he, in a short time, obtained the gold medal for the best specimen of a work in sculpture. Shortly after, he was sent to Rome for three years, at the expense of the academy. There he studied closely, and with judgment; and on his return was immediately employed on works of high art, and in a few years was elected an associate, and in 1802 a member, of the Royal Academy. Some years after he was appointed one of the sculptors to king George IV. and was employed upon some of the finest sculpture work at Buckingham Palace. There are some fine monumental compositions by Mr. Rossi in St. Paul's Cathedral; the chief of which are those erected to the memory of gen. le Marchant, marquis Cornwallis, and general Elliot (lord Heathfield). The Surgeons' Hall, and other public buildings, have also been decorated with the sculptured works of this artist.

22. In New Brunswick, aged 31, captain Gerard Luke Harvey, eldest son of sir John Harvey, lieutenant-governor of the province.

23. In the Old Kent-road, aged 34, George Lovell Spinluff, esq., of the treasury (commisariat branch), White-hall.

24. At Ranchory Lodge, Kincardineshire, aged 77, general William Burnett.

Lately. At Greenwich Hospital, Thomas Allen, formerly of the Victory, and the original of Ben Brace, in captain Chamier's novel.

— In London, Mary, fourth daughter of the late David Ricardo, esq., M.P.

— In her 66th year, Harriet, wife of sir John Richardson, knt., late one of the justices of the court of Common Pleas.

— At Ammeldel, Scotland, the right hon. Elizabeth Rae, countess of Buchan. She was the youngest daugh-

ter of the late John Hervey, esq., and was united to the earl of Buchan in 1830. Her ladyship has left a daughter, born in 1834.

— The dowager countess Montalembert, only daughter of the late J. Forbes, esq., of Stanmore-hill, author of Oriental Memoirs.

— At the house of the Neapolitan Legation, his excellency count Ludolf, for many years minister of Naples at this court.

— The rev. W. Chester, aged 64, rector of Walpole St. Peter's, Norfolk. He was the third son of Charles Chester, esq., next brother to William first lord Bagot, by Catharine, daughter of the hon. Heneage Legge, son of William earl of Dartmouth. He was of Merton College, Oxford, M.A. 1800; and was presented to his living by the king in 1824.

— In Dublin, in his 85th year, the hon. and rev. William Dawson, uncle to the earl of Portarlington. He was the third son of William first viscount Carlow, by Mary, eldest daughter of Joseph Damer, esq. and sister to Joseph first earl of Dorchester. He was unmarried; and by his death a considerable accession of fortune devolved upon his nephew, col. the hon. G. L. Dawson Damer, M.P. for Portarlington.

— At St. Petersburg, count Speranski, formerly private secretary to the emperor Alexander, and minister of foreign affairs in 1812 and 1813, during the invasion of Russia by Napoleon.

— At New York, Mr. Jacob Astor, who has given his name to a country, and to a literary work from the pen of Washington Irving, leaving prodigious wealth.

— At the Government house, Honduras, aged 32, the rev. Edw. Strangways, rector of Melbury, Dorsetshire. He was the sixth son of the hon. and rev. Charles Redlynch Strangways, uncle of the present earl of Ilchester.

— John Griggs, esq., of Messing. He left the whole of his property estimated at 100,000*l.* to the rev. Robert Eden, rector of Leigh. About 10,000*l.* had, by a former will, been left in legacies to various friends, and, although no mention was made of these in the last will, it is un-

DEATHS.—MALDUS.

derstood, that Mr. Eden has paid them all.

— At Warwick, Hele Tomkin, Esq., aged 66, of Exeter, late of Tiverton, for fifty years the town clerk and deputy recorder of Plymouth; steward for the duchy of Cornwall of estates and revenues in the county of Dorset; and senior barrister of England, having been called to the bar at the Middle Temple, Nov. 26, 1778.

He was twenty years vice-warden of the stanneries of Devon, when he raised and commanded a regiment of volunteers, and niners, one of the finest corps in the county. He left a son, sir Warwick H. Tomkin, and one daughter.

MARCH.

1. At Leamington, aged 60, Robert Pryce, Esq., of Brick-lane, London, one of the senior partners in the house of Truman, Hanbury and Co.

2. In Eaton-square, Robert Henry Stanhope, commander R.N., and sub-inspector of constabulary in Ireland, only surviving son of the late col. the hon. Henry Fitzroy Stanhope, who was sixty years possessor of the bed-chamber to their late majesties George the Third and Fourth.

3. At Malta, Elizabeth, wife of sir John Maxwell Tylden, of Milsted Manor House, Kent.

4. At Torquay, Devon, aged 34, the rev. Marmaduke Pritchett, M.A., F.S.A., late chaplain of Trinity College, Cambridge. He was the son of Marmaduke Pritchett, Esq., of Biddlington, and was the author of "An historical and architectural description of the Priory Church of Bridlington," 1831; 8vo.; also of an "Account of Barnwell Priory, in the parish of St. Andrew the Less, Cambridge," and had announced a new edition of Fuller's "History of the University of Cambridge," in conjunction with Thomas Wright, Esq., M.A., F.S.A., which, it is understood, will shortly appear.

— At Florence, aged 35, not leaving any children, the princess Charlotte Buonaparte, daughter of Joseph Buonaparte, king of Spain, and widow of prince Charles Louis Buonaparte, third son of Louis, king of Holland.

She was very benevolent to the poor, and a great patroness of educational institutions for the indigent classes. Her talent as a painter was very considerable, and she executed a series of landscapes, which have been lithographed by herself. She left an only sister, the princess Zenaide de Mezzanone, married to Charles Louis Buonaparte, son of the prince de Camille.

5. At Malta, Stephen Fox Strangways, Esq., youngest son of the late hon. and rev. Charles Strangways.

6. At Naples, in his 56th year, M. Adolphe Noûrit, the famous French opera singer. This admired artist had suffered serious illness on visiting his throne at the French Opera, to make way for Duprez, and departed with such further mortifications in the fulfilment of his Neapolitan engagement, that the firmness of his mind entirely gave way, and having been bled by a few fatal contents, when singing his part in *Norma*, he came home, deliberately addressed sterner farewell letters to his friends, then precipitated himself through the window, and was found dead on the stones of the courtyard below.

7. At Trinidad, aged 43, the right hon. sir George Fitzgibbon, Hill, of Brooke Hall, county of Londonderry, bart., lieutenant-governor of that Island.

Sir George Hill was the eldest son of sir Hugh Hill, bart., who represented the city of Londonderry in the Irish parliament, from 1768 to his death in 1806. After spending some time in foreign travel, he took his degree in Trinity College, Dublin, and was called to the bar. In 1791, he was returned to parliament for the borough of Coleraine, which he represented till his father's death in 1795. He was then unanimously elected to serve in parliament for Londonderry city. Before the first meeting of this parliament, sir George Hill accepted the office of clerk of the Irish house of commons, and vacated his seat in consequence. In January 1801, sir George Hill was unanimously chosen representative for the county of Londonderry, in the place of lord Tyrone. At the general election of 1802, he was elected member for the city of Londonderry, which he con-

DEATHS.—MARCH.

timed to represent during nine successive parliaments, and for the space of thirty years, until his departure for the West Indies in 1830. In 1806, sir George was appointed a lord of the treasury, during the lieutenancy of the duke of Richmond. In 1817, he was made vice-treasurer of Ireland, and a British privy councillor; and in November 1830, he was appointed governor of St. Vincent's, in the West Indies, and afterwards removed to Trinidad, in April 1833, as lieutenant-governor, in which office he died.

17 Sir George Hill married a daughter of the first marquess of Waterford, but had no issue. He was succeeded by his brother, now sir Marcus Hill.

18 At Nice, aged 34, Anne, wife of Humphrey St. John Mildmay, esq., eldest daughter of lord Ashburham. Her death was caused by her clothes catching fire a few days before.

19 At Bangalore, East Indies, capt. Monypenny, R.M. 4th Foot, youngest brother of T. G. Monypenny, esq., M.P.

20 At Redruth, Cornwall, aged 67, Thomas Yeagie, esq., a large owner of Cornish mining property, in which he had laid out, in the last year alone, upwards of 80,000*l.*

21 In Buckingham-street, Strand, in his 80th year, Leslie Grove Jones, esq., late colonel 1st regiment Grenadier Guards.

22 Colonel Jones was well known in the political world as the author of several powerfully written and very violent letters which appeared in "The Times," during the progress of the reform bill, under the signature of "Radical."

23 At Bathford, major-gen. Henry Philipps, G.B.

24 At Malta, aged 27, William Henry Thurlow, esq., of the firm of Sweet, Sutton, Thurlow, and Evans, solicitors of London, son of the rev. E. St. Thurlow, preb. of Norwich.

25 At Amsterdam, professor N. G. Van Kampet.

26 In his 80th year, Michael Corbett, esq., of Admington House, a justice of the peace for the county.

— In Pall Mall, London, in his 65th year, Stephen Peter Rigaud, esq., M.A., F.R.S., hon. M.R.I.A., F.R.A.S., Savilian professor of Astronomy, Radcliffe observer, and reader

in experimental philosophy, in the university of Oxford.

Mr. Rigaud was born at Richmond, in 1774, of a family connected with science, both his maternal grandfather and his father Stephen Rigaud, esq., having filled the office of observer to the king at Kew, an office conferred upon himself upon his father's death in 1814, and which he afterwards held in conjunction with his uncle, Mr. Stephen Triboulet Demainbray. He was of French extraction, being descended from one of those families who quitted their country on the revocation of the edict of Nantes. He was matriculated at Oxford of Exeter College, 1791; and was elected fellow of that society before he was of sufficient standing for a degree. As soon as his age permitted, he was engaged in tuition, and afterwards read the lectures on experimental philosophy for Dr. Hornsby, on whose death in 1810, he succeeded both to that appointment and the Savilian professorship of geometry.

He was appointed public examiner in 1801, in conjunction with the present bishops of Landaff and Exeter; again in 1806, and lastly in 1835, as examiner in mathematics and the physical sciences.

Mr. Rigaud was also one of the first examiners for the university mathematical scholarship, and he was selected by the president of Magdalen College (Dr. Knuth) as the first examiner for the Johnson mathematical scholarship in 1835.

Mr. Rigaud in 1831, printed the Miscellaneous Works and Correspondence of Dr. Bradley, to which, in 1833, he added a Supplement, including an account of Harriot's Astronomical Papers. In 1838, he published some valuable notices on the first publication of Newton's Principia. These were all printed at the University Press; and at the time of his death, he was diligently employed in editing a very valuable collection of original letters from men of eminence in the scientific world, from the originals among the papers of Mr. Jones, father of sir William Jones, now preserved in the library of the earl of Macclesfield. Mr. Rigaud was a frequent contributor to the Scientific Journals of his day: to the Transactions of the Royal

DEATHS.—MARCH.

Astronomical Society, to Brewster's Journal, and to the Nautical Magazine. In the Transactions of the Ashmolean Society will be found several papers also by him. He had made large collections for a new edition of the *Mathematicæ Collectiones* of Pappus Alexandrinus; this was one of his most favourite projects, which however he did not live to put into execution.

Mr. Rigaud married the eldest daughter of G. W. Jordan, esq., colonial agent for the island of Barbadoes, and by that lady he left seven children.

20. At his house, in Newman-street, Peter Turnerelli, esq., sculptor. The figure of Burns at his plough, for the monument erected to his memory at Dumfries, is the principal work of this artist, though his statue of Geo. III., his bust of the princess Charlotte, his Blucher, Platoff, and a long list of other interesting personages, will long preserve his name from oblivion.

21. At Athlone, Caroline, wife of lieutenant-col. Smith, assistant adj.-gen. of the Western District.

— In Manchester-square, Sophia, widow first of sir Henry Lambert, bart., and secondly of lieutenant-col. H. F. Greville.

— At Upsal, aged 90, Louisa, last surviving daughter of the great naturalist Linneus.

— In London, aged 50, Edmund Henry Barker, esq., late of Thetford, the learned and laborious editor of Stephens' "*Thesaurus Linguae Græcæ*," and other works.

23. At Sydling, Dorsetshire, in his 52nd year, sir John Bentinck Milnes, the third baronet (1801).

25. At the Foundling Hospital, aged 81, Samuel Compton Cox, esq., treasurer of that institution, late one of the masters of the High Court of Chancery, and previously a Welsh judge.

26. At his palace, aged 68, the hon. and most rev. Power Le Power Trench, D.D., lord archbishop of Tuam, bishop of Ardagh, Killala, and Achonry, and primate of Connaught; a privy councillor of Ireland: uncle to the earl of Clancarty. Dr. Trench was the second son of William first earl of Clancarty, by Anne, eldest daughter of the right hon. Charles Gardiner, sister to

Luke first viscount Mountjoy, and aunt to the late earl of Blessington. He commenced his ecclesiastical career as vicar of Ballinasloe, county of Galway. He was consecrated bishop of Waterford in 1802, translated to Elphin in 1810, and to the archbishopric of Tuam in 1819. His grace married on the 29th of January 1795, his cousin Anne, daughter of Walter Taylor, esq., of Castle Taylor, county of Galway, by Miss Hester Power Trench, sister of the first earl of Clancarty. By that lady, who survives him, he had issue two sons and six daughters.

28. At Prince Edward's Island, Jane Rebecca, wife of the hon. T. H. Haviland, provost marshal.

29. At his villa in the Grove Road, St. John's Wood, in his 46th year, the right hon. Henry William FitzGerald de Roos, baron de Roos of Hamhake, county of York (1864). His lordship was the eldest child of the late lord Henry FitzGerald, (third son of James first duke of Leinster,) by Charlotte baroness de Roos, in whose favour this very ancient barony was called out of abeyance in 1806. Lord de Roos succeeded his mother in the barony, Jan. 9, 1831, and in the same year he was the senior baron who did homage to king William IV., at his coronation. His lordship was formerly well known in fashionable society, but since the trial with which his name was so unfortunately connected, he had lived for the most part retired from the world. His lordship dying unmarried, was succeeded in his title and estates by his next surviving brother lieutenant-colonel the hon. William Lennox Lascelles de Roos.

31. At Cheltenham, aged 63, lady Elizabeth, relict of general the hon. William Fitzroy. She was the third daughter of Augustus-Henry third duke of Grafton, by his second wife.

— Catharine, relict of the rev. J. Craven, of Chilton House, Wilts, and Brockhampton Park, Gloucestershire.

— At Crema, Augustus, youngest son of sir H. St. John Mildmay, bart.

Lately. In Vauxhall Bridge Road, aged 67, the notorious capt. Johnson, who, when the Walcheren expedition was in preparation in 1809, was taken from prison, where he had been confined for smuggling, in order to pilot the English fleet into the harbour of

DEATHS.—APRIL.

Flushing. For his services upon this occasion he received a grant of 100*l.* per annum from government, upon a promise, as was understood, that he should afterwards refrain from his smuggling propensities.

— In Beaumont-str., Marylebone, aged 73, Mr. Francis Wright, who for nearly forty years was one of the principal messengers of the house of commons.

— In Nutford-place, the marquess de Châdonnay. He was born at Nantes in 1784, and married in 1814, Donna Joana de Lima Barreto Coelho, of Portugal. His body was interred in one of the vaults of Moorfields Chapel.

Lately. At Dresden, Adelaide Reinhold, a native of Hanover, a celebrated poetess, as remarkable for the elevation of her mind, as for the solid acquirement she possessed, uniting a masculine spirit with the most feminine graces. She had adopted the name of Francis Berthold, under which designation a part of her works have appeared, edited by Louis Tieck.

— At Vienna, baron Martin, director of the emperor of Austria's privy cabinet.

— In camp at Kurachee, East Indies, with the army of the Indus, aged 21, Alfred John Magnay, esq., H. M. 40th regiment, eleventh son of the late Christopher Magnay, esq., alderman of London.

— In Lower Grosvenor-street, aged 81, Mrs. Dunn Gardner, widow of William Dunn Gardner, esq., of Chatteris and Fordham Abbey, Cambridgeshire.

APRIL.

1. The rev. John Still, prebendary of Salisbury, and rector of Fonthill Giffard and of Cricklade, Wiltshire. He was one of the sons of James Still, of East Knoyle, esq., and was sixth in lineal descent from Dr. John Still, bishop of Bath and Wells, who died in 1607.

— At Tenby, S. Wales, W. Richards, esq., mayor of that town, having been mortally wounded in a duel with a gentleman named Mannicks. The dispute arose from some misunderstanding in reference to an election of guardians under the poor law.

— At Dacca, East Indies, Charles Jamieson Davidson, esq., senior merchant in the hon. East India Company's service, and of Chislehurst, Kent.

2. At Auchter-house, Forfarshire, John Wedderburn, esq.

— At Kingstown, near Dublin, aged 72, the hon. Mary, widow of the hon. Robert Molesworth. She was the eldest daughter of Charles, fourth viscount Ranelagh.

— At Hastings, aged 86, sir John Dunlop, bart., of Dunlop, M.P. for Ayrshire, and a captain in the army. He was the eldest son of the late general Dunlop, M.P. for Kirkcubright; was elected M.P. for Ayrshire in June 1836 as a reformer, and was created a baronet at the coronation of queen Victoria.

3. Aged 44, of water on the chest, Mr. John Charles Bromley, engraver in Mezzotinto, second son of Mr. William Bromley, A.R.S.A. The third son also highly gifted, and in the prime of life, died in the December previous.

Lately. At Hackney, aged 83, C. Hammond, esq., leaving a very large sum to be divided among various religious institutions. Mr. Hammond's large fortune of 150,000*l.* was accumulated in trade first as a cheesemonger in Eastcheap, and subsequently as a ship-owner.

— At Cosgrave, Northamptonshire, in his 69th year, John Christopher Mansel, esq., a magistrate for the counties of Northampton and Buckingham, and late major in the 54th regiment of Dragoon Guards. Major Mansel was the eldest son of major-general John Mansel, who in the duke of York's campaign in Flanders, commanded a brigade of cavalry, and was killed on the 26th of April, 1794, in the act of heading a most gallant charge near the Heights of Coteau. His son, who was then his aid-de-camp, was wounded and taken prisoner in the same action, and detained at Paris during part of the sanguinary reign of Robespierre. Having at length effected an exchange, he returned to England, and attained the rank of major in his own regiment, the third Dragoon Guards. He afterwards retired from the army to reside on his paternal estate at Cosgrave. He be-

DEATHS.—APRIL.

came a Verderer of Whittlebury Forest, and a deputy-lieutenant of the county. As long as his health permitted, he was a very active and zealous magistrate, and continued even to the last to perform the duties of that situation to the utmost of his powers.

5. At Salisbury, the rev. J. T. Porter, for many years professor of mathematics and the Italian language in that city. He was born at Leghorn, and educated at the English college at Rome. He was a man of very high intellectual and scientific attainments, and was the author of several able works.

— At Sparsholt House, aged 82, Barrington Price, esq., uncle to Sir Robert Price of Foxley, bart., M. P. for Herefordshire. He was the seventh son of Robert Price, esq., of Foxley, by the honourable Sarah Barrington, eldest daughter of John, first viscount Barrington.

6. At Heathfield, aged 82, major-general Fuller, late of the Bengal Artillery.

In York street, Gloucester place, Edward Pelham Brenton, esq., a post captain in the Royal Navy, and C.B. Captain Brenton was brother to Sir Jahleel Brenton, bart., K.O.B., lieutenant-governor of Greenwich Hospital, being the second son of rear-admiral Jahleel Brenton, who died in 1802. He entered the navy in November, 1786, and was engaged in active service from that time to the close of the war in 1815. Captain Brenton was the author of a "Naval History of Great Britain from 1783 to 1822," five vols. 8vo. 1823, with plates; also "A Refutation of the Statements of admiral Sir George Montague," 1823, 8vo.; and a biography of admiral Earl St. Vincent. He was well known to the public as the founder of the Children's Friend Society and the warm advocate of several charitable institutions.

— Lady Katharine Frances, wife of H. W. Beauchamp, esq., of Chester-square, and sister to the Earl of Ashburnham. She was married in May 1836.

9. At his seat, Denton Park, Yorkshire, in his 60th year, Sir Charles Ibbitson, the fourth baronet (1748).

10. At Framlingham, John Shafto, esq., fourth son of the late Sir Cuthbert Shafto, of Bavington Hall, Northumberland; a justice of the peace and deputy-lieutenant for Suffolk.

11. At Greenock, aged 60, John Galt, esq., well known for his numerous literary works. Mr. Galt was born at Irvine, in Ayrshire, and was educated at Greenock. Whilst at his native place he wrote several minor poems, which appeared in a provincial paper; but he soon started for London, and embarked in trade with a Mr. MacLachlan. On the failure of this speculation, Mr. Galt entered himself at Lincoln's Inn; but soon forgetting the law, he set sail for Gibraltar. Here he met Lord Byron, whose biographer he was afterwards to be. Mr. Galt next visited Sicily, passed on to Malta, and so to Greece. The result of his observations he communicated to the public in 1812, under the title of "Voyages and Travels in the years 1809, 1810, and 1811, containing Statistical, Commercial, and Miscellaneous Observations on Gibraltar, Sicily, Malta, and Portico." Shortly after his return to London, Mr. Galt became connected with the "Star" newspaper, and married Elizabeth, daughter of Dr. Alexander Tilloch, proprietor of that paper, and editor of the Philosophical Magazine, by whom he had a family. Mr. Galt had scarcely published his "Voyages and Travels" before he embarked in various other literary projects. After much occupation of this kind, he was appointed agent to a company for establishing emigrants in Canada, but unfortunately soon involved himself in disputes with the government, and we fear did not contribute by his meddling with public matters, and his insults to the governor, Sir Peregrine Maitland, to sow dissension and disloyalty in those unhappy provinces. Mr. Galt was at length suspended by the Canada company. At a subsequent period, he attempted, but unsuccessfully, to form a New Brunswick Company, in opposition to his former friends in Canada. He afterwards engaged in a project to make Glasgow a sea-port. Mr. Galt was at one time editor of the Courier, and, after his return to England, he may be said to have supported himself almost entirely by his pen. The public will not soon forget his "Sir Andrew Wylie," "Ayrshire Legatees," his "Annals of the Parish," nor "The Entail," which last is thought to be

DEATHS.—APRIL.

his best novel. A few years ago Mr. Galt left London to reside amid the attentions of his nearest relations, his physical powers having been very much prostrated by a succession of paralytic shocks, which deprived him of the use of his limbs, and impaired the muscles of his hands, so that writing, so long a work of the greatest facility, became tedious and painful. His mental power, however, retained its strength to the last in a surprising degree amid the decay of his physical energies.

12. Suddenly, at Boulogne-sur-Mer, lt.-gen. sir Theophilus Pritzler, K.C.B.

13. At Nottingham, aged 50, Robert Millhouse, the poet. He was born in that town of poor parents, was put to work when only six years old, and at the age of ten was employed in a stocking-loom. The only education he received was at a Sunday-school. At the age of twenty-two he quitted the stocking-frame, and enlisted in the Nottingham militia. It was whilst serving with the regiment at Plymouth that he made his first essay in poetry, by, "Stanzas addressed to a Swallow." Several other pieces of considerable merit followed, which were published in a Nottinghamshire newspaper. At the peace in 1814, the regiment was disbanded, and he returned to labour in his frame, where, amidst the noise and toil of his business, he composed several longer poems, the chief of which were "Vicissitude,"—a small volume of sonnets, entitled "Blossoms;"—the "Song of the Patriot," and "Sherwood Forest." In 1832, he gave up the labour of the loom, and applied himself to composition. Since that time he published his last poem, in two parts, "The Destinies of Man," a work of considerable merit. Though, of course, far from rich, the talents and good conduct of Millhouse had secured him friends, through whose assistance he was enabled to provide for his family, and to live exempt from privation or want.

— At Lambeth, Baldwin Sealy, esq., grandson of Dr. Atterbury, of Christ Church, Oxford, and late British vice-consul at Maceio, Brazil.

— At Charlton King's, aged 53, sir Francis Ford, bart., of Barbadoes, after a severe and painful illness of eight years.

14. Sophia, second daughter of the

late colonel Foster Lechmere Coore, of Scruton Hall.

— Aged 71, colonel Ford, of Abbeyfield, Cheahire.

15. At Brighton, aged 80, lady Chambers, of Cumberland-terrace, Regent's Park, widow of sir Robert Chambers, formerly chief justice of Bengal.

16. At the residence of his son, Jonathan Peel, esq., aged 63, Robert Peel, esq., of Accrington House, Lancashire, and Shinfield Manor House, Berks, cousin german to the right hon. sir Robert Peel, bart.

— At Edinburgh, aged 63, George Robert Ainslie, esq., lieutenant-general in her majesty's service. He was the eldest son of sir Philip Ainslie, of Pilton, county Edinburgh, knight, by the hon. Elizabeth Gray, fifth daughter of John twelfth lord Gray. He entered the army in 1793, and served in the war in Flanders till the year 1799. In 1812 he was appointed governor of St. Eustatius, and in 1813 was made governor of the Isle of Dominica, where he distinguished himself by subduing the Maroons, a body of runaway slaves, who had set the law at defiance for above forty years. After his final return from Dominica, general Ainslie turned his attention to numismatology. The particular branch to which he devoted himself was the collection of Anglo-Norman coins; and his zeal was rewarded by many rare and valuable acquisitions. In 1830 he published an account of these treasures, under the title of "Anglo French Coinage."

At Calais, aged 44, Lucius Hooke Robinson, esq., one of the honourable gentlemen of her majesty's privy chamber.

17. At Yarmouth, Isle of Wight, aged 75, William Love, esq., commander, R. N.

— At Twickenham, Joseph Chappell Woolnough, esq., comm. R. N., K. H., and K. St. V., author of a memoir on Contraband Trade; of some letters on Naval Education, which appeared in the latter volumes of the "Naval Chronicle;" and of several ingenious projects.

— At Park Place, Peckham, aged 86, Mr. John Lawrence, the well-known author of a Treatise on the Horse, and other practical works. He

DEATHS:—APRIL.

was, in early life, one of the first advocates of legislative enactments for the suppression of cruelty to animals; and his writings were of eminent assistance towards obtaining those acts of parliament which were passed for their protection.

18. Aged 98, lady Mary Frances Stopford, lady of the bedchamber to the duchess of Kent, and sister to the earl of Courtown.

19. On his passage from Calcutta, aged 57, lieutenant-colonel John Johnson, unattached, late of her majesty's 13th light infantry. This officer had served his country for thirty-five years in every quarter of the world, and had been severely wounded in the Burmese war.

20. At Rome, aged 63, lieutenant-general sir Herbert Taylor, G.C.B. and G.C.H., principal aide-de-camp to the queen, and colonel of the 85th Foot. Sir Herbert was elder brother to the right-hon. sir Brook Taylor, distinguished as a diplomatist; being the second son of the late rev. Edward Taylor, of Bifrons, in Kent. Having joined the British army in Flanders in April, 1793, as a secretary to sir James Murray; he was present as a volunteer at most of the actions during that campaign; he also served in the campaign of 1794. On the return of sir James Murray to England, sir Herbert continued with the duke of York as an assistant secretary. In May 1795 he was promoted to a troop in his regiment (the 2nd Dragoon Guards.) When his royal highness returned to England, captain Taylor was appointed secretary to the commander of the British forces on the continent, and continued in that situation until September, 1795, when he returned to England in consequence of being appointed aide-de-camp to the commander-in-chief, and soon after assistant-secretary in his royal highness's office. In July, 1798, he attended lord Cornwallis, appointed lord-lieutenant to Ireland, as military and private secretary and aide-de-camp. He continued with his excellency until February, 1799, when he was appointed private secretary to the duke of York. In September of that year he attended his royal highness to Holland; he was present in the battles of the 19th September and 2nd and

6th of October that year; and he remained with sir James Pulteney as secretary until the return of the troops from North Holland. In 1805, he was appointed private secretary to his majesty George III. In March, 1812, he was appointed one of the trustees of the king's private property, and soon after (in consequence of the regency) private secretary to the queen. In November, 1813, he was ordered on special service to Holland, and in March, 1814, he was sent on a military mission to Sweden, and to the Hague. In 1818, he was appointed by queen Charlotte master of St. Katharine's hospital, which appointment he held till his death. After passing through the various grades of the service, he attained the rank of lieutenant-general in 1825, and received the command of the 85th regiment in 1828. Sir Herbert Taylor was the author of a narrative of the last illness of the duke of York, whose confidential friend he had been for many years; and he was one of the executors of his royal highness's will. Sir Herbert represented Windsor in parliament from 1820 to 1828. He married Charlotte Alibia, daughter of Edward Disbrowe, esq., vice-chamberlain to queen Charlotte, and grand-daughter of the third earl of Buckinghamshire, by whom he left issue one daughter.

21. At Woodland House, in her 77th year, Catharine, widow of George Aust, esq., of Noel House, Kensington Gore, formerly under-secretary of State in the foreign department; and late commissary-general of Mustars.

— At Glyde, near Lewes, aged 76, Susannah, wife of the rev. W. Ross, vicar of that parish, and mother of the late rev. Hugh J. Ross, principal of King's College, London.

Lately. At Sible Hedingham, Essex, aged 89, the rev. George Marshall Fowke, M.A., eldest son of the late rear-admiral George Fowke.

22. At Charlton, captain John Weatherall Smith, B.A., only surviving son of the late general sir John Smith, G.C.H., colonel commandant of the Royal Horse Artillery.

— At Cheltenham, after a severe and protracted illness, in his 42nd year, Thomas Haynes Bayly, esq., a well-known lyrical poet.

23. At the lodge of St. John's col-

DEATHS.—APRIL.

lege, Cambridge, in his 79th year, the very rev. James Wood, D.D., master of that college, dean of Ely, rector of Freshwater, in the Isle of Wight, F.R.S., &c. Dr. Wood was a native of Lancashire. He was born in a remote part of the parish of Bury, a district which was at that time in a very rude state. His father was in very humble circumstances, but was much esteemed for his simple honesty; and having (for a man in his station of life) considerable knowledge, he instructed his son in arithmetic and algebra. Both his parents lived a considerable time after their son took his degree, so that they knew of his rising distinction in the university, and had the gratification of seeing the good fruits of the care which they had taken in his education. He received his classical instruction in the grammar school at Bury. The founder of this, the rev. Roger Kay, having been educated at St. John's, Cambridge, had bequeathed to the school exhibitions for those who might go to that college. Young Wood accordingly went up a freshman in 1778, and, having remained in college during all the vacations, did not return home till the summer of 1782. In the mean time he had obtained the high honour of being senior wrangler and first Smith's prizeman; and had been elected to a fellowship. He was appointed one of the assistant tutors at the earliest opportunity, and he continued to be engaged in tuition until the latter end of the year 1814. In the following year, on the death of doctor Craven, he was elected master; and in 1820, he was appointed to the deanery of Ely, by lord Liverpool, and in 1828 was presented by the college to the rectory of Freshwater. During the long period of sixty years, he passed the chief part of his time in college; and, it may be confidently affirmed that, during at least half of that time, no one possessed so much influence in the university as he did. Dr. Wood was the joint author, in association with the late rev. Samuel Vince, F.R.S. Plumian professor of astronomy, of an extensive work designed for the use of students in the university, under the title of "Principles of Mathematics and Natural Philosophy treatises, which for forty years, have been in common use in the univer-

sity. A paper by doctor Wood on the Roots of Equations appeared in the Philosophical Transactions in 1798, and we believe there are other papers from his pen in that collection, and in the memoirs of the Manchester Society. He was a man of great natural ability, of which his academic honour was an early proof. He possessed also moral qualities of the highest order and value, purity of conversation and conduct, integrity, benevolence, and humility. Having devoted to his college the chief part of his care for sixty years, and made the most strenuous exertions by his instruction, example, and authority, to promote its welfare, he gave further proof of his attachment by providing with munificent liberality, for its permanent benefit. He is said to have contributed during his life about 15,000*l.* towards the building of the college, and he founded nine scholarships of 40*l.* per ann. each. He left 500*l.* to increase the Kay exhibitions, of which he himself partook. He also left to the college by will not less than 40,000*l.* in addition to a very valuable library of more than 4,000 volumes.

— In Belgrave-square, in his 89d year, the right hon. George Capel Coningsby, fifth earl of Essex and viscount Malden (1661), sixth baron Capel of Hadham, county Hertford (1641) D.C.L. and F.S.A. The earl of Essex was the only son by the first marriage, of William Anne-Holles fourth earl of Essex, with Frances, eldest daughter and co-heir of sir Charles Hanbury Williams, K.B., by lady Frances Coningsby, daughter of Thomas earl Coningsby. When in the twenty-second year of his age, viscount Malden was unanimously chosen one of the representatives of the city of Westminster, on the accession of Chas. earl of Harrington to the peerage, but he did not sit for that city after the dissolution in the following year. At that period he commanded the Westminster volunteers, and was one of the greatest favourites of the prince of Wales. In 1761 he was returned to parliament for the borough of Lostwithiel in Cornwall: in 1784 for Oakhampton, and in 1794, and 1796 for Radnor. He attained the peerage, on the death of his father, March 5, 1799. On succeeding to the property of his maternal grandmother, his lordship

DEATHS.—APRIL.

assumed her family name of Coningsby. The earl of Essex was a liberal patron of the fine arts, and his house of Cassiobury was the resort of many persons of genius and talent. He married in 1786, Sarah, daughter of Henry Bazett, esq., of the island of St. Helena, and widow of Edward Stephenson, esq., of the East India Company's service. Her ladyship died without issue in 1838, after they had lived for many years separate; on the 19th of April following, his lordship married the eminent vocalist, Miss Stephens. The title and estates devolve on the earl's nephew, Arthur Algernon Capel, esq., eldest son of his late half-brother the hon. John Thomas Capel, who died in 1819, by lady Caroline Paget, sister to the marquess of Anglesey.

— At Caledon House, county Tyrone, in his 63d year, the right hon. Dupre Alexander, second earl of Caledon (1800), viscount Caledon (1797), and baron Caledon of Caledon, county Tyrone (1789); a representative peer for Ireland, K.P. &c. His lordship was the only son of James first earl of Caledon, by Anne second daughter of James Crawford, esq., of Crawfordsburn, county Down. He succeeded his father in the peerage March 23, 1802; and was elected a representative peer of Ireland not long after. About the same period he was for a short time governor at the Cape of Good Hope. The earl of Caledon married, in 1811, lady Catharine Fremar Yorke, second daughter of Philip, third earl of Hardwicke, and sister to the countess of Mexborough, lady Stuart de Rothesay, and viscountess Eastnor. By this lady, who survives him, he had issue an only son, James Dupré, now third earl of Caledon.

24. At Berne, Elizabeth, second daughter of D. Morier, esq., her majesty's minister plenipotentiary at Berne.

25. At Milton Bryan, Stephana Anne, eldest daughter of the late sir Hugh Inglis, bart., and sister of sir R. H. Inglis, bart., M.P.

26. At Hardwick, Salop, aged 81, the rev. sir Edward Kynaston, bart., M.A., chaplain in ordinary to her majesty, rector of Hordley and Kinnerley, Salop, and of Risby, Suffolk.

27. At Paris, Mr. Battier, formerly of the 10th Hussars, whose dispute

with his brother officers caused much agitation some years since.

28. At Fisher-street, Red Lion-square, aged 75, Edward Staines, esq., mathematician, seventeen years private tutor at Cambridge, and twenty-eight years in London.

— Accidentally drowned at Great Marlow, a son of Mr. Wadham Wyndham, and Mr. Andrew Thomson, brother of Mr. Poulett Thomson, president of the Board of Trade, &c.

29. Alfred Slocock, esq., of Donnington Cottage, near Newbury, justice of the peace, and deputy lieutenant for Berkshire.

30. At Saltash, aged 74, Edward Hawkins, esq., post captain R.N.

— In Grosvenor-square, aged 71, George Peter Holford, esq., of Westonbirt, Gloucestershire, M.A. barrister at law. This gentleman was the youngest son of Peter Holford, esq., Master in Chancery. He was called to the bar in the year 1791. In 1802 he was returned to parliament for the borough of Basingstoke, and in 1804, on the return of Mr. Pitt to power, he was appointed secretary to the Board of Commissioners for the affairs of India; which office he held to the change of ministry in February 1806. In the parliament of 1807-12 he came in on a vacancy for Lostwithiel; in 1812 he was elected for Dungannon; in 1818 for Hastings; and in 1820 for Queenborough. In his senatorial career, Mr. Holford principally distinguished himself by his attention to the subject of prison discipline. In 1805 he published anonymously, "The Destruction of Jerusalem, an absolute and irresistible proof of the Divine Origin of Christianity," 8vo., and in 1808 "Observations on the necessity of introducing a sufficient number of respectable clergymen into our colonies in the West Indies, and of establishing a college in this country for the education of persons destined for that purpose."

Lately. In Scinde, three officers of the queen's service, lieuts. Sparks and Nixon and Dr. Herbert. A jungle had caught fire, and it being anticipated that the flames would force numbers of wild animals from their coverts, the officers posted themselves in a tree, waiting the escape of deer, &c., when the wind suddenly changing, the trees and jungle surrounding them took

DEATHS.—MAY.

fire, and they were entirely overwhelmed and destroyed.

—Aged 66, Caroline, wife of R. Russell, esq., M.P. for Bradford, sister to Sir F. L. Wood, bart. of Hocklinton.

—At Woolwich Common, Joanna Elizabeth, widow of Lieut.-General Willington.

—At Richmond, Lyndon Evelyn, esq., of Keynsham Court, Hereford, and late of York Terrace, Regent's park.

—Killed, by being thrown from her horse, Miss Blair, of Welbeck-street, daughter of the late Admiral Blair.

—At Portsea, aged 91, the mother of Admiral Ross, commander-in-chief on the South American station.

—In Regent-street, aged 70, Lady Hughes, relict of Sir William B. Hughes, of Plascoe, Anglesea.

—At Nassau, near Watford, aged 51, Letitia, wife of George W. Hackett, esq., formerly of Twyford House, Hants; daughter of the late General Midway, esq., of Shawford House.

—At Liverpool, in his 88th year, Wm. Thornley, esq., father of T. Thornley, esq., M.P. for Wolverhampton.

—Mary, fourth daughter of the late David Ricardo, esq., M.P.

—At Whitebird Park, aged 68, Anne Rachel, relict of Sir William Hickborth, bart.

—At the palace, Peterborough, aged 77, the right rev. Herbert Marsh, D.D., lord bishop of Peterborough, the lady Margaret's professor of divinity in the university of Cambridge, &c. &c.

Bishop Marsh was a native of Ebbdon. In 1776 he became a sizar of St. John's college, Cambridge, where he greatly distinguished himself as a classical and mathematical student. In the following year he went to Germany, and resided for several years at Göttingen, and thus qualified himself for the translation of one of the profoundest works in German divinity, Michaelis on the New Testament. But theological studies did not wholly engross his thoughts and time,

for he is said to have obtained some important information on public affairs, the communication of which to the government at home was considered so conducive to the public service as to deserve the grant of a pension, which he received from Mr. Pitt. On the French armies invading Germany, Mr. Marsh returned home, and resumed his academic pursuits at Cambridge. He took the degree of B.D. in 1792, and commenced a career of extensive authorship, the particulars of which will be found in the list of his works hereafter given. It was his fortune to be embroiled in various controversies, greater perhaps in number and importance than any other author of his time. In 1807, on the death of the rev. John Mainwaring, B.D., he was elected lady Margaret's Professor of Divinity, and he immediately engaged in a course of English lectures on theology, instead of the Latin lectures formerly given, according to ancient usage. In 1816 Dr. Marsh was advanced to the bishopric of Llandaff, and in 1819 he was translated to Peterborough. His attempts to repress Calvinism in his new diocese soon rendered him obnoxious to the evangelical portion of the clergy, and several publications appeared on the subject, which was ultimately brought before the House of Lords, but without any material result. The following are among Dr. Marsh's publications:—Introduction to the New Testament, by J. D. Michaelis, Translated from the German, and considerably augmented with notes explanatory and supplemental. 1792-1801, 4 vols. 8vo. An Essay on the usefulness and necessity of theological learning to those who are designed for Holy Orders. 1792, 4to. The authenticity of the five books of Moses considered; being the substance of a discourse lately delivered. 1792, 8vo. Letters to archdeacon Travis, in vindication of one of the translator's notes to Michaelis's Introduction, and in confirmation of the opinion that a Greek MS. now preserved in the public library at Cambridge, is one of the seven quoted by R. Stephens; with an appendix containing a review of Mr. Travis's collation of the Greek MS. which he examined at Paris. 1795, 8vo. An extract from Pappabaum's treatise

DEATHS.—MAY.

on the Berlin MS.; and an essay on the origin and object of the Velesian readings. Leipzig, 1795, 8vo. Patie's Essay on the English National Credit; or an attempt to remove the apprehensions of those who have money in the English funds. Translated from the German, 1797, 8vo. An examination into the conduct of the British Ministry, relative to the late proposal of Buonaparte. 1800, 8vo. The History of the Politics of Great Britain and France, from the time of the conference at Pilnitz, to the declaration of war against Great Britain; with the attempts made by the British government to restore peace. 1800, 2 vols. 8vo. Postscript to the history. 1800, 8vo. The "History of the Politics of Great Britain and France" vindicated from a late attack of William Belsham. 1801, 8vo. A Dissertation on the origin and composition of the three first gospels. 1802, 8vo. This is incorporated in the second edition of the translation of Michaelis. Letters to the anonymous author of "Remarks on Michaelis and his commentator." 1802, 8vo. The Illustration of the Hypothesis proposed in the "Dissertation on the origin and composition of our three first Canonical gospels;" with a preface and appendix. 1803, 8vo. A Defence of "The Illustration of the Hypothesis." 1804, 8vo. A Letter to the conductor of the Critical Review, on Religious Toleration, 1810, 8vo. A course of Lectures, containing a description and systematic arrangement of the several branches of Divinity; with an account of the principal authors who have excelled at different periods in theological learning. 1810, 8vo. The National Religion the foundation of National Education; a sermon preached at the yearly meeting of the children educated in the charity schools in and about London. 1811, 4to. 6th edition, 1813, 8vo. Vindication of Dr. Bell's system of Tuition. 1811, 8vo. An Enquiry into the consequences of neglecting to give the Prayer-book with the Bible. 1812, 8vo. Letter of explanation to the dissenter and layman, who has lately addressed himself to the author on the views of the Protestant dissenters. 1813, 8vo. A Letter to the rev. Charles Simeon, A.M., in answer to his pretended congratulatory address; in confutation of

his various mis-statements; and in vindication of the efficacy ascribed by our church to infant baptism. 1813, 8vo. Letter to the rev. P. Gandolphy, in confutation of the opinion, that the vital principles of the Reformation have lately been conceded to the church of Rome. 1813, 8vo. Six Lectures on the Interpretation of the Bible; being Part III. of a course of Lectures. 1813, 8vo. Reply to the strictures of the rev. Isaac Milner, D.D. 1813, 8vo. Sermon preached before the University of Cambridge, on Commencement Sunday, July 4. 1813, 4to. Horæ Pelasgicæ, part I.; containing an inquiry into the origin and language of the Pelasgi, or the ancient inhabitants of Greece. 1813, 8vo. A second Letter to the rev. C. Simeon, in confutation of his various mis-statements, and in vindication of the efficacy ascribed by our church to the sacrament of baptism. 1814. A Comparative View of the Churches of England and Rome. 1814, 8vo.

3. At Paris, *Fernando Paer*. This eminent dramatic composer was born at Parma in 1774. At the age of ten Paer went to Venice, and not long afterwards wrote an opera there, entitled "Circe," which was successful. From Venice he proceeded to Padua, Milan, Florence, Naples, Rome, Bologna, &c. At length the duke of Parma, who was his godfather, bestowed on him a pension, giving him permission to travel to Vienna, for the purpose of composing some works in that city. On the death of Neumann, in 1801, Paer was invited to Dresden, with the appointment of chapel-master for life. His patron, the duke of Parma, dying about this period, Paer accepted the offer, and soon after, arrived at Dresden, where he composed several operas, each of which met with brilliant success. After the battle of Jena, Napoleon, being at Dresden, desired that Paer, together with his wife, who was an excellent singer, should be engaged in his suite. They accordingly followed the emperor to Posen and Warsaw, and subsequently to Paris, Napoleon having obtained their regular discharge from the Saxon court. The situations which Paer held under Napoleon were conductor of the chamber of music, composer to the emperor, and singing master to Marie Louise. In 1814 he

DEATHS.—MAY.

was appointed director of the concerts of Louis XVIII. &c. After the revolution of 1830, Paer's fortunes considerably declined. He was however elected, in 1831, member of the Institute, instead of Catel. Paer composed a large number of works performed with success in France, Italy, and Germany. He was among the few composers who were equally successful in serious and comic music.

— At Witherley Bridge, Leicester-shire, where his family had resided for some centuries, in his 80th year, Ralph Thompson, esq.

— At Cambridge, aged 93, Thomas Fisher, esq., a deputy-lieutenant and thirty-seven years treasurer of the county.

— John James Fraser, esq., a barrister at law, and formerly of Edinburgh. He committed suicide by throwing himself from the second-floor window of the house of Mr. Walker, surgeon, of Charlotte-street, Bloomsbury.

6. At Stopham-house, Sussex, Philadelphia, eldest daughter of the late Walter Bartolotte Smyth, esq.

— At her house, near Lynnington, aged 74, dame Harriet Sophia Rooke, widow of the hon. Mr. Justice Rooke, of the court of Common Pleas, sister of admiral sir H. B. Neale, bart.

7. Drowned, by the upsetting of a boat, on the Maine, aged 16, Frederic, fifth son of Benjamin Travers, esq., of Bruton-street.

8. At his lodgings, Patrick Brady Leigh, esq., barrister-at-law, a special pleader, and of the Western circuit. He was called to the bar, at Gray's-inn, in 1831. He was the author of a treatise on *Nisi Prius*, and a work on the poor laws.

— At Great Englebourne, the residence of her brother Richard Browne, esq., Mrs. Elizabeth Dorothea Popham Browne, eldest sister of the late John Browne, esq., of Longcause.

10. In her 23rd year, Charlotte, wife of the rev. Chas. Wordsworth, M.A., second master of Winchester.

12. On the northern coast of Australia, while engaged in an expedition of discovery, aged 19, Frederic Cooke Smith, a young man of high promise, eldest son of O. H. Smith, esq., of Thames Bank, Westminster.

— At Brighton, aged 56, Henry

Harris, esq., chief proprietor of Covent Garden Theatre.

13. At Early Bank, near Perth, aged 69, major-gen. William Farquhar, Madras engineer corps.

— At Pleau House, Stirlingshire, John Edwards Vivian, esq.

— At Rome, aged 76, his eminence Joseph Fesch, senior priest cardinal of the sacred college, and archbishop of Lyons. He was the brother, by the mother's side, of Lætitia Ramolini, the mother of the emperor Napoleon. His father was Francis Fesch, of Basil, in Switzerland, a lieutenant in the Swiss regiment of Bocard, in the service of France. Joseph Fesch was born at Ajaccio, in Corsica, in Jan. 1763, six years before the island fell under the power of France. At the age of thirteen, he was sent to the ecclesiastical seminary of Aix, in Provence, where he still was when the troubles of that country began. An ardent partisan of the new system, Fesch threw off his clerical dress, and entered as a store-keeper in the army of Montesquieu, in Switzerland. In 1796, he became commissary-general in the army of Italy, commanded by his nephew, Napoleon Bonaparte. In that capacity he acquired a considerable fortune. After some time, M. Fesch resumed the ecclesiastical profession; and on the signing of the concordat with the Pope, was appointed archbishop of Lyons, being consecrated by the cardinal legate in person, on the 15th of Aug. 1802. On the 17th of Jan. 1803, he received a cardinal's hat, and was soon afterwards sent ambassador from France to Rome, where he was received with peculiar distinction. During his residence in that city his conduct was not the most decorous; for, contrary to a special regulation, he had concerts in his palace even in Lent, to which he invited the cardinals, none of whom attended. In 1804, cardinal Fesch accompanied Pope Pius VII. to Paris, to assist in the consecration of his nephew, and, in the beginning of the ensuing year, he was appointed grand almoner of France, a principal officer of the legion of honour, and soon afterwards a member of the senate. Decorated in the same year with the order of the golden fleece, by the king of Spain, the cardinal was, in 1806, by the elector, arch-chancellor

DEATHS.—MAY.

of the Germanic empire, nominated his coadjutor and successor. On the 31st of Jan. 1809, Napoleon appointed him archbishop of Paris; but the cardinal declined the office. Having been elected president of the council of that city, he displayed an astonishing firmness in resisting his nephew's schemes, and particularly in opposing his violent treatment of the Pope. The effect of this spirited conduct was, that the prince primate of Germany having nominated the cardinal to be his successor, Napoleon opposed the nomination, and appointed in his place Eugene Beauharnois, with the title of grand duke of Frankfurt. Having thus fallen into disgrace at court, the cardinal retired to his see in Lyons, where he purchased and furnished with great splendour, the magnificent edifice which formerly belonged to the Carthusians, and there he lived until the approach of the Austrians, in 1814. Dissatisfied with the Lyonesse, "who" he said, "had not the sense to defend themselves," he withdrew; and, after various changes of place, he arrived, on Easter-day, in Orleans, whence, with the emperor's mother, he took the road to Rome. He then seemed resolved to live in retirement in that city; but, when he learned, in 1815, the landing and progress of his nephew from Elba, he began again to lead a public life, representing those events as miraculous operations of Providence. Following Napoleon to Paris, the cardinal was created a peer of France; his abode there was but short; and, accompanied by his sister madame Bonaparte, he once more set out for Rome, where he has since resided in the enjoyment of vast wealth, and one of the finest galleries of pictures in that city of the arts. This, it is said, will be divided into three portions, one containing the Italian pictures to be left to the Vatican, and the other two to his relatives. The bulk of his property goes to the Napoleon family. His funeral took place at the church of San Lorenzo, in Lucina, and was attended by many cardinals, and upwards of one hundred archbishops and bishops.

14. At Nonsuch Park, Surrey, in his 92d year, S. Farmer, esq.

— At Tonbridge Wells, the hon. Isabella Louisa, wife of sir Wm. Edw.

Parry, capt. R.N., eldest daughter of lord Stanley, of Alderley.

— At Liverpool, aged 70, Elizabeth, widow of lieutenant-general Grose.

15. At Vaynor Park, co. of Montgomery, aged 86, Ann Charlotte Christiana, relict of J. Winder, esq., of Vaynor Park, only daughter of the first admiral sir C. Knowles, bart.

16. At Cornwall Estate, Jamaica. Mathew Lushington, esq., third son of sir H. Lushington, bart.

— In his 58th year, William George Adam, esq., a bencher of Lincoln's Inn, late accountant-general of the Court of Chancery, and formerly a barrister on the Western Circuit. He was son of the late right hon. William Adam; was called to the bar at Lincoln's Inn, in 1806, and promoted to the rank of king's counsel, Dec. 1831.

— At Clarence-terrace, Regent's Park, in his 17th year, John Malcolm, youngest son of lieutenant-colonel Josiah Stewart, C.B.

— In Berkeley square, aged 85, the right hon. Edward Clive, earl of Powis, viscount Clive of Ludlow, baron Herbert of Chirbury, and baron Powis of Powis Castle (1804), baron Clive of Walcot (1794), and baron Clive of Plassey, county of Clare (1761), a privy councillor, lord lieutenant and custos rotulorum of Shropshire, D.C.L. &c. &c. The earl of Powis was the eldest son of Robert, first lord Clive, the renowned founder of our Indian empire, by Margaret, daughter of Edmund Maskelyne, of Purton, in Wiltshire, esq., and sister to the rev. Dr. Nevile Maskelyne, astronomer royal. He succeeded to the Irish peerage on the death of his father, Nov. 1774; and about the same time (though then under age) he was returned to parliament for the borough of Ludlow, which he continued to represent until his elevation to an English peerage in 1794. In 1783, his lordship supported Mr. Fox's India bill, and in 1788, he divided in favour of the prince of Wales's claims. In 1802, he was appointed governor of Madras, whither he repaired, but resigned the command in the following year. On the 3rd May, 1804, the thanks of both houses of parliament were voted to him for his services during the Marhatta war; and on the 12th of the same month, he was advanced to the

DEATHS.—MAY.

titles of earl of Powis, viscount Clive, of Ludlow, baron Herbert, of Chirbury, co. of Salop, and baron Powis, of Powis Castle, co. of Montgomery. In 1805, the earl of Powis was nominated lord lieutenant of Ireland, and sworn a privy councillor; but the death of Mr. Pitt, before his departure, was the cause of that appointment not taking place. The earl was remarkable for physical vigour; and though he spent some years of his life in India, and lived freely, he might be seen, when almost eighty, digging in his garden, at six o'clock in the morning, in his shirt sleeves. He was apparently well the day before his death. He married, in 1784, lady Henrietta Antonia Herbert, daughter of Henry Arthur earl of Powis, the male representative of the Herberts of Dolgeiog, a collateral branch of those of Chirbury, by Barbara, sole daughter and heiress of lord Edward Herbert, only brother of William, third and last marquess of Powis. By this lady, who, on the death of her brother, in 1801, succeeded to the whole of the Powis estates, his lordship had issue two sons and two daughters.

18. At Milford, near Salisbury, lieut.-general Thomas Norton Wyndham, brother to Wadham Wyndham, esq., M.P.

— At Cookham, aged 70, Maria, daughter of the late admiral sir George Young, of Formosa-place.

— At Caius Lodge, Cambridge, in his 77th year, the rev. Martin Davy, D.D. and M.D., for thirty-six years master of Gonville and Caius college, rector of Cottenham, in Cambridgeshire, a prebendary of Chichester, &c. Dr. Davy became a member of Caius college previously to 1792, in which year he took the degree of M.B., having determined to follow the study of medicine. He proceeded M.D. in 1797, and for many years practised as a physician, and acquired great reputation for his medical skill and success, particularly in the treatment of the severer kinds of fever. He was elected master of his college, in 1803. Some years after he took holy orders, and was admitted D.D. per lit. reg. in 1811. In 1827, he was collated by the late bishop of Ely, Dr. Sparke, to the rectory of Cottenham, (worth 770*l.* per annum), and in 1832, he was collated

by Dr. Maltby, bishop of Chichester, to the prebend of Heathfield, in that cathedral church. Perhaps, no man in the university of Cambridge, had acquired a larger degree of the respect and good will of his contemporaries, of all classes of opinion, than Dr. Davy; and most deservedly, for he was, throughout a long life, distinguished for the courageous integrity of his principles, for the manly candour of his understanding, for the suavity of his manners, and the benevolence of his actions. He was besides highly accomplished, both as a professor of medical science, and as a general and classical scholar.

Lately. Aged 81, Hugues Bernard Maret, duc de Bassano, grand officer of the legion of honour. M. Maret was born at Dijon, where his father was physician and perpetual secretary to the academy. He embraced with enthusiasm the cause of the first French revolution, and was the publisher of the *Bulletin de l'Assemblée*, until the bookseller, Panckouke, founded the *Moniteur*, of which Maret was appointed chief editor, and it became the official paper of the government. He was sent to England, in 1792, to secure the neutrality of the British government, but was, with Chauvelin, the French ambassador, ordered out of the country. In 1793, he was appointed ambassador to Naples; but, happening to fall into the hands of the Austrians, was detained prisoner until 1795, when, with the marquess de Semonville, he was exchanged for the daughter of Louis XVI., the present duchess of Angoulême. In 1797, he was appointed by the directory one of the three commissioners to treat with lord Malmesbury, at Lisle, and in 1798, the great council, at Milan, voted him 150,000 francs to recompence him for the losses he had sustained by his imprisonment. Maret took a very active part in the plans which were formed for the overthrow of the directorial and the establishment of the consular government, and he was rewarded with the place of secretary to the council of state of the consuls. He afterwards became private secretary to Napoleon, who is believed to have assisted him not unfrequently in composing articles for the *Moniteur*. In 1811, he was appointed minister of foreign affairs,

DEATHS.—MAY.

with the title of duke of Bassano; and in 1812, he signed the famous treaties with Austria and Prussia, preparatory to the expedition against Russia. After the abdication of the Emperor, at Fontainebleau, in 1814, the duke retired from public life; but, on the Emperor's return from Elba, he resumed his functions, and was created a peer of the realm. At Waterloo, whither he followed Napoleon, Bassano narrowly escaped being captured by the English. On the second restoration, he was banished from France, and retired to Gratz. After the revolution of July, he again returned to France, and was reinstated in his former honours. On the 10th of November, 1838, he was appointed minister of the interior and president of the council; but the cabinet over which he presided only lasted three days. He was always a lover and cultivator of literature, and a liberal patron of literary characters.

— At Paris, aged 66, M. Broussais, professor of general pathology of the Faculty of Medicine, and a member of the Academy of Moral and Political Sciences. Broussais was the author of the work entitled "Examen des Doctrines Medicales," and the promulgator of the system, designated by its admirers, "Medicine Physiologique," of which bleeding, leeches, and cold water, are said to be the principal, if not, sole features.

20. In Hanover, count Munster, minister of state, and of the cabinet, hereditary marshal of the kingdom, and chancellor of the order of the Guelphs. Count Munster was employed in Hanover as one of the ministers of state, so early as 1805. In the following year, when the Prussian troops occupied the Electorate, he retired to England, after having entered a protest against the conduct of the Prussian monarch. When the insanity of George III. rendered it necessary to place his private property under the care of commissioners, count Munster was selected one of them. In 1814, he took a part in the congress of Vienna, as plenipotentiary from Hanover, and in that capacity he announced the erection of the electorate into a kingdom. He was one of the signers of the declaration in 1815, by which Napoleon was put out of the

protection of the law. For his services on these occasions, the prince regent rewarded him with an estate in the principality of Hildesheim. In 1817, he was appointed ambassador from Hanover to Great Britain, and he held that situation until the death of king William IV. His office as hereditary marshal devolves on his son, who is still in his minority.

— The rev. Rice Rees, B.D. Welsh professor, tutor, and librarian of St. David's college, Lampeter, and a fellow of Jesus college, Oxford; eminent for his researches in Welsh literature.

— In the Tyrol, Mrs. Cumming, nee Gersdorf, widow of P. Cumming, esq., of the Isle of Thanet, and of Riga.

22. At Douglas, Isle of Man, Maria, widow of capt. Sabine, 1st Guards, eldest daughter of the late admiral sir T. Pasley, bart.

— Aged 21, prince William of Saxe Weimar, eldest son of duke Bernard of Saxe Weimar, and nephew to her majesty the queen-dowager.

23. At his seat, Davenstown, Ireland, in his 79th year, the hon. Robert Taylor, general in the army, colonel of the 6th Dragoon Guards, uncle to the marquess of Headfort.

24. At Fordingbridge Hampshire, aged 70, U. Joyce, esq., post-capt. R.N.

— At Plymouth, aged 50, John Filmore, esq., post captain, R.N.

25. At Ayr, aged 21, Jane, wife of W. N. Garrett, esq., judge of Chittagong, Bengal.

26. Aged 98, Maria Catharine, wife of the rev. E. B. Pusey, regius professor of Hebrew, Oxford, and canon of Christchurch.

27. At Mungewell, Oxfordshire, aged 77, Charlotte, widow of the right hon. Charles Bathurst, of Lydney Park, Gloucester, and sister of visc. Sidmouth.

— On his way to Canada, aged 22, John Boughton Egerton Ward Boughton Leigh, esq., cornet in the 1st Dragoons, eldest son of John Ward Boughton Leigh, esq., of Brownover Hall, Warwickshire.

— At Portsea, aged 70, lady Eleanor Margaret, widow of Thomas Lindsay, esq., sister of the earl of Lucan.

— In his 73d year, sir James Montgomery, the second baronet, of Stanhope, county of Peebles, (1801); presenter of signatures in the court of Exchequer in Scotland.

DEATHS.—JUNE.

30. In Jamaica, Joseph Rawlins Thomas, esq., lieutenant R.N., late special magistrate and justice of the peace of the districts of St. Mary's Trelawney, and Westmoreland.

31. At his father's, Springfield, near Manchester, aged 26, Arthur Entwistle, esq., M.A., fellow of Brazenose college, Oxford.

Lately. At Dundee, John Robertson, aged 114. He was employed as a ploughman at the time of the battle of Culloden, and saw the prince on his march.

Lately. At Edinburgh, major-general Patrick Lindsay, K.C.B., colonel of the 39th foot.

Lately. In the United States, Zera Colburn. He was distinguished as a child for his remarkable powers of arithmetical calculation, in order to the display of which he visited most of the principal towns and cities of America. He became a clergyman of the Methodist persuasion, and recently a professor in the Literary Institution of Norwich, United States, in which situation he remained to his death.

— At the Hague, aged 62, M. Van Os, the distinguished animal and landscape painter.

— At the house of her mother, lady Dampier, Tunbridge Wells, Elizabeth Ann, wife of John Latham, esq., jun., of Bradwell Hall, Cheshire, and only surviving daughter of sir Henry Dampier, Justice of the King's Bench.

JUNE.

1. At Ramsgate, aged 56, James Gilman, esq., of Highgate, surgeon, well known as the friend of Coleridge.

3. At Winchester, aged 83, Mrs. Poulter, relict of the rev. E. Poulter, prebendary of Winchester, and mother of John Poulter, esq., formerly M.P. for Shaftesbury. She was one of the daughters and co-heiresses of John Bannister, esq., and sister to Mrs. North (wife of the bishop of Winchester) and lady Osborn.

— Aged 43, the right hon. Hercules Langford Rowley, second baron Langford, of Summerhill-house, county Meath (1800). He succeeded his father (who was brother of the first marquess of Headfort) in 1836; and having

married in 1818 Miss Louisa-Augusta Rhodes, has left issue three sons.

— At Bath, aged 65, T. Clive, esq., brother of E. B. Clive, esq., M.P. for Hertford.

— At Brighton, aged 59, sir Edmund Knowles Lacon, the second baronet (1818), of Ormesby House, Norfolk; major of the East Norfolk militia.

4. In Sussex, George Robert Marriott, esq., barrister at law, one of the clerks of Nisi Prius, and clerk of the outer treasury of the Court of Queen's Bench.

5. In Dover-street, the right hon. Henrietta Susannah lady Sudeley. She was the only daughter and heiress of Henry, eighth and last viscount Tracy; and was married in 1798 to Charles Hanbury Tracy, esq., of Pontypool, county Merioneth, who, in 1838, was created a peer by the title of lord Sudeley. Her ladyship has left a numerous family.

5. At Cliffe-house, near Wakefield, Yorkshire, aged 58, a person styling himself sir John Leman, bart. He was lately a frame-work knitter at Nottingham; but believing himself to be the lineal male heir of the family of Leman, of Northaw, county Herts. (advanced to a baronetcy in 1665) he last year assumed the title of baronet. He was stated to be the grandson of the rev. P. Warboys, rector of Warboys, county Huntingdon, cousin to sir Tanfield Leman the last baronet. The estates claimed by him are situated in Goodman's Fields, and in the counties of Hertford, Huntingdon, and Cambridge, and are said to be estimated at 400,000l. a year. It would appear that his pedigree was presented at the College of Arms, but subsequently withdrawn, not having been admitted there. His son Edward Godfrey Leman claims to be the next heir.

6. At St. Michael's, Mr. W. Harding Read, consul-gen. for the Azores for upwards of thirty years. The inhabitants of the city of Ponta Delgada, as a mark of their respect, conducted his remains to the Protestant cemetery with military honours.

7. At Norton House, aged 87, Margaret, widow of T. Bond, esq., of Merton, Surrey, and daughter of the late sir R. Bewicke, of Close House, Northumberland.

DEATHS.—JUNE.

— At Shadwell Lodge, Norfolk, in his 86th year (after many years protracted suffering), sir Robert John Buxton, bart.

8. In Chester-square, aged 27, Edward, youngest son of colonel Drinkwater Bethune, of Leatherhead, Surrey, and nephew of lord Minto, first lord of the Admiralty, a young man of considerable attainment. He held the situation of assistant-secretary to the tithe commission.

— At Dyrham Park, Bath, James Douglas, esq., admiral of the red.

— At Bexhill, Maria-Rosaria Birch, eldest daughter of the archdeacon of Lewes.

— At Brighton, Charlotte, wife of S. Hawkins, esq., relict of B. Hall, esq., M.P. for county Glamorgan.

9. At Edinburgh, aged 35, the hon. Elizabeth Diana, wife to Duncan Davidson, esq. (late M.P. for the county of Cromarty), of Tulloch Castle, N. B. She was the eldest child of Godfrey, third and late lord Macdonald.

— At Worcester, Stephen Godson, esq., brother of R. Godson, esq., M.P.

— At the rectory, Hackney, in his 72nd year, the venerable John James Watson, D.D., archdeacon of St. Alban's, a prebendary of St. Paul's rector of Hackney and of Digswell, Herts.

— At Castle Farm, near Stafford, aged 67, Philip Seckerson, esq., many years secretary to the late bishop Ryder.

10. In Bolton-row, Piccadilly, aged 73, major-general sir Benjamin Chas. Stephenson, G.C.H., one of the commissioners of woods and forests. This gentleman entered the Hanoverian service in 1788, and in 1796 joined the English army. During the period of his service he was present in the battle of Famars, and at the siege of Valenciennes, besides several other actions and skirmishes. In 1803 he was appointed deputy judge advocate of the south-west district, and two years afterwards Mr. Pitt named him to succeed colonel Beckwith as a commissioner for inquiring into the public expenditure of the military departments. In 1819 he received from queen Charlotte the appointment of master of the king's household at Windsor, and such was the system introduced by him into that establishment, that, whilst he was in office,

there was no one year in which a surplus revenue of some thousand pounds was not returned into the treasury. In 1814 he was appointed surveyor-general of the board of works. That board being subsequently merged in the department of woods and forests, sir B. Stephenson became one of the commissioners of the new board, and continued in that situation up to the period of his decease. He also held the office of riding forrester of the New Forest, with a salary of 500*l.* a year; which office (a sinecure) has ceased with his death. In 1823 he was requested to undertake the superintendence of the duke of York's household. For his services in the execution of this last employment he declined accepting any salary. Sir B. Stephenson married Maria, the second daughter of the late sir Peters Rivers Gay, bart., and by her he left two sons and six daughters.

11. The hon. George Henry Talbot, only brother of the earl of Shrewsbury. He married in 1829 Miss Augusta Jones, daughter of sir H. St. Paul, bart., by whom he leaves issue a son, John, born 1830, now heir presumptive to the earldom, and one daughter.

12. At Denbury, aged 71, Mrs. Mary Froude, sister to the rev. archdeacon Froude.

14. Grosvenor Charles Bedford, esq., late auditor of her majesty's exchequer.

17. At Paris, aged 68, the right hon. lord William Henry Cavendish-Bentinck, a privy councillor, general in the army, colonel of the 11th Light Dragoons, G.C.B. and G.C.H. and M.P. for the city of Glasgow: next brother to the duke of Portland. Lord William Bentinck was born on the 14th September, 1774, the second son of William Henry, third duke of Portland, K.G. by lady Dorothy Cavendish, only daughter of William, fourth duke of Devonshire, K.G. He entered the army in 1791, as an ensign in the Coldstream Guards. In May 1799, he was appointed by the king to remain at the head-quarters of marshall Suwarroff's army in Italy, and he continued there till the beginning of 1801, and was present at the several battles that took place during that period. In April 1803, his lordship sailed for India as governor of Madras;

DEATHS.—JUNE.

he returned in January 1808; in August 1808, he was appointed to the staff of the army under the orders of lieutenant-general sir H. Burrard in Portugal. Lord William was subsequently selected to proceed on an important mission to the supreme junta of Spain. He continued with the junta, corresponding with his government and sir John Moore, until the latter end of November; previous to which Mr. Frere had arrived at Aranjuez, as minister plenipotentiary of Great Britain. Lord William Bentinck accompanied the army under sir John Moore in its retreat; and at the battle of Corunna commanded a brigade. He was next appointed to command a division of sir Arthur Wellesley's army, and shortly after to the important situation of minister at the court of Sicily, and commander-in-chief of all his majesty's forces in that island. Having established a British government there, he put himself at the head of an expedition in order to land in Catalonia in July 1813; this army penetrated to Valencia, and afterwards laid siege to Tarragona, but, having advanced towards Villa Franca, they were repulsed. At the commencement of the year 1814, he quitted Sicily, having previously had an audience of king Ferdinand, who promised to keep sacred his reforms. His lordship next repaired to the courts of Tuscany, and at Leghorn he published a proclamation inviting the Italians to shake off the French yoke. Having landed his troops, his lordship advanced towards Genoa, of which he made himself master, after some slight actions with the enemy's forces. After the close of the war he resided for some time at Rome. Lord William Bentinck again went out to India as governor-general in 1827, and was previously sworn a privy councillor. He returned in 1837. At the general election of that year he was returned to Parliament for Glasgow. He resigned his seat a few days only before his death. Lord William Bentinck married in 1803, lady Mary Acheson, second daughter of Arthur first earl of Gosford, and sister to the present earl. He had no issue.

— In Kensington-square, John Meriman, esq., for many years medical attendant at Kensington-palace on her majesty and the duchess of Kent. On

queen Victoria's accession, her majesty conferred upon Mr. M. and his two sons, the appointment of apothecary extraordinary to her majesty.

— At Sunning Hill, Berkshire, aged 45, Samuel Grove Price, esq., M.A., barrister-at-law, formerly M.P. for Sandwich and Deal. Mr. Price was the son of the rev. Morgan Price, rector of Knebworth and Letchworth, Herts, by Catharine, daughter of Samuel Grove, esq., of Taynton in Gloucestershire, a lady connected with some of the most distinguished families in England. He was educated at Eton, and Eton, rich as she is in scholars, has perhaps seldom sent forth a riper or a better one. He entered Trinity College, Cambridge, in the year 1811, and was soon regarded as one of its brightest ornaments. The gold medal for the Greek Ode, the first Latin and English declamation prizes, an University scholarship, and a Downing Fellowship, were amongst the academical distinctions awarded to him. On quitting the university he entered at Lincoln's Inn, and was called to the bar on the 28th of April, 1818; but from a distaste for the law, he never pursued it as a profession. In the year 1830 he was for the first time returned, to parliament for the borough of Sandwich, and distinguished himself by an uncompromising opposition to the reform bill. His speech delivered on the memorable night that preceded the dissolution in 1832 has been regarded by competent judges as a masterpiece of eloquence. Having sacrificed his seat to his principles, Mr. Price continued out of parliament until the dissolution which followed the formation of sir Robert Peel's administration in 1836, when he was again returned for Sandwich and Deal by a triumphant majority. He opposed the English and subsequently the Irish municipal corporation bills with all the vigour of a powerful and comprehensive mind; but his attention was principally directed to the foreign relations of the country, and, in particular, to the disgraceful and sanguinary contest which was desolating Spain. With this question he may be said to have identified himself; and he brought to bear upon it all the enthusiasm of a chivalrous nature, together with vast historical research, and an intimate

DEATHS.—JUNE.

acquaintance with the philosophy of politics. Mr. Price's reading was at once varied and extensive—and his memory very retentive. Thucydides and Tacitus, Guicciardini and Tasso, Bacon and Barrow, Gibbon and Burke, were alike familiar to him; and he seemed to range at perfect liberty over the whole field of ancient and modern literature. He had imbibed the spirit, and formed himself upon the model of Edmund Burke, for whose memory he entertained a filial reverence, and whose writings were treasured in his heart. His principles were but ill suited to the age in which he lived, for they were unbending as the oak, and he would have laid down his life rather than have abandoned them. His eloquence partook of the character of his mind; it was bold, manly, and sincere, whilst his language, drawn from "the pure well of English undefiled," flowed on in a rich and copious stream, imparting life to the driest, and beauty to the most uninteresting subject. His manner was frank, his temper generous, without a particle of envy, illiberality, or selfishness: and such was the respect entertained for his guileless character, his straightforwardness of conduct, and his singleness of purpose, that amongst a host of political opponents he probably had not one personal enemy. He married in 1830 Marianne, daughter of William Page, esq., formerly member of council at Bombay. He was not only blameless, but exemplary in all the relations of domestic life, as a husband, a father, and a friend. So extraordinary indeed were the powers of his mind, and so endearing the qualities of his heart, that he commanded the respect and esteem of all who knew him, and retained to the hour of his death an influence which was almost magical over the friends and companions of his early life.

— At Cirencester, aged 94, John Ireland, esq., M.D., one of the magistrates for Oxfordshire. Dr. Ireland was an active and skilful member of the medical profession, and for upwards of half a century practised at Oxford.

18. At Guildford, Mary, wife of captain G. W. Onslow, E. I. service, son of the rev. G. W. Onslow, of Dunsborough-house.

— In Bond-street, after a short illness, aged about 50, Mr. Mori, the first violin player and orchestral leader of the metropolis.

20. Aged 26, Mr. Henry Rush, solicitor, second son of the rev. John Rush, vicar of Chelsea-old church. He was drowned on the Thames by the upsetting of a boat during a violent gale of wind, and at the same time the ten following persons lost their lives on the river by similar accidents from different boats: Mr. Robert Walker Fry, of the Chancery Registry Office; Mr. George Joseph Graham, of the Ordnance Office; Mr. Croker; Mr. Wilkins; Mr. Roberts; Mr. George; Mr. Lambe, jun., dressing-case maker, Cockspur-street; Mr. William Bruce, baker, Charing-cross; Mr. Woolley, Piccadilly, many years one of the hon. corps of gentlemen-at-arms, and Mr. Griffiths, of Piclico.

— T. Shaw, esq., a gentleman of fortune, residing in Grosvenor-place, Bath, who hung himself in his picture gallery. Verdict, insanity.

21. In Hampshire, col. sir Richard Williams, K.C.B., late commandant of the Royal Marines at Portsmouth. He was nominated K.C.B. at the enlargement of the order in 1815.

— At her house at Ardwick, near Manchester, aged 81, Mary, youngest daughter and last surviving child of Thomas Johnson, of Tildesley, esq., and sister and one of the two co-heirs of Thomas Johnson, esq., of the same place. She was the last of a family closely connected, during the last century, with the leading transactions of its native district.

22. At Purton House, Wilts, aged 61, Richard Miles, esq.

— At Hurlingham, Elizabeth, wife of John Horsley Palmer, esq., and June 28, Sophia Anne, his second daughter.

23. At her villa of d'Joun, on Mount Lebanon, eight miles from Sidon, in Syria, aged 63, lady Hester Lucy Stanhope, half-sister to earl Stanhope. This clever and eccentric woman was the eldest child of Charles, third earl Stanhope, by his first wife, lady Hester Pitt, eldest daughter of William first earl of Chatham, and sister to the great statesman William Pitt. Lady Hester Stanhope resided for some years with her celebrated uncle, to

DEATHS.—JUNE.

whom she acted as secretary, and at whose table she presided. She received the grant of a pension of 1,200*l.* charged on the 4½ per cent. duties, in 1806. At the same date, pensions of 600*l.* each were conferred on her sisters, and on her half brothers. The reason of her ladyship having a double share seems to have been that she was the minister's favourite niece. Perhaps the most detailed account that has yet appeared of the subsequent life of lady Hester may be found in the works of a French traveller (Lamartine), who during his journey in Syria in the year 1832, was admitted to an interview, a favour which she had for some time denied to any of her countrymen. It would appear that after the death of her uncle, Mr. Pitt, lady Hester quitted England, and passed some time in visiting the different capitals of Europe. After residing for some years in Constantinople, she embarked for Syria, carrying with her the greatest part of her wealth, and property to a considerable amount in jewels, &c. The ship was unfortunately wrecked off the island of Rhodes; lady Hester's treasures were buried in the deep, and she herself escaped with difficulty on a piece of the wreck to a little desert island where she passed twenty-four hours without food or succour, until discovered and rescued by some poor fishermen. This misfortune did not damp her resolution. She returned to England, and having raised fresh funds by the sale of her remaining property, re-embarked for the East, and landed safely at Laticchia, the ancient Laodicea. Here she established herself, and applied with diligence and success to the study of the language, manners, and habit of her new country. Having thus overcome the first difficulties of her position, lady Hester assembled a numerous caravan, and carrying in her train camels laden with presents for the native chiefs, commenced her excursions throughout Syria. She visited successively Jerusalem, Damascus, Aleppo, Balbeck and Palmyra, and it was among the ruins of this ancient city that the wandering tribes, assembled round her tents to the number of 40 or 50,000, charmed with her beauty, her magnanimous and princely spirit, proclaimed her queen of Palmyra, and delivered to her firmans, by

which they ensured to every European taken under her protection, a safe-conduct on payment of a stipulated sum. This treaty existed, and was still faithfully acted upon, at the time of Lamartine's journey. Lady Hester's power and influence had, however, at that period greatly declined. Her excessive liberality, and the expence of subsidising her auxiliary chiefs, had greatly exhausted her resources; and age, though it had not weakened her courage or spirit, had probably rendered the display of them, as well less frequent as less graceful. She was living in almost total seclusion in a fortified house she had herself built among the ruins of the convent and village of Dgioun, on one of the mountains of Lebanon, the sovereignty of which had been ceded to her many years previously by the Pacha of St. Jean d'Acre. In this almost inaccessible solitude, surrounded only by a few Arab peasants and negro domestics, she retained to the last the elevation of character which had distinguished her earlier years, but the account of her conversation as given by Lamartine would prove how inadequate are the most powerful minds to the attainment of truth when once they give the reins to their imagination, and suffer themselves to wander from the old and tried paths. In her religious system "the transcendentalism of Europe was found combined and confounded with many of the eastern superstitions, and with the dreams of astrology." She showed to Lamartine two Arab mares of rare beauty, one of which she was reserving for the approaching advent of a second Messiah, whose throne was to be established in Jerusalem; the other she intimated she would herself mount to accompany his triumphal entry into that destined city. She retained an enthusiastic admiration of her celebrated uncle, but spoke with contempt of the statesmen and politics of the present day, and with disgust and indignation at the levelling and rationalistic spirit which was so rapidly diffusing itself throughout Europe. In February 1838, our foreign secretary, lord Palmerston, had received such an account of the condition of some of lady Hester Stanhope's creditors, that he was induced to send to the British consul for Syria

DEATHS.—JUNE.

instructions to stop the payment of her ladyship's pension. Lady Hester, indignant at this treatment, wrote some remarkably high-spirited letters, not only to lord Palmerston, but also to the duke of Wellington, and various persons of influence at home, which were published in most of the newspapers in November last. At the period of her death lady Hester had no English attendant upon her person, though the number of her domestics amounted to twenty-three. It was only the day before her decease that she sent for medical advice to Beyrout, but it was too late to be of service. The English consul in that city offered every assistance in his power, but it was unfortunately unavailing. Accompanied by the rev. W. Thompson, an American missionary, he performed over the body the last offices of Christian burial.

— Aged 70, lieutenant-colonel Andrew Clarke, K.H., of Bristol, late major of the 46th regiment.

25. At Shrewsbury, aged 85, lady Kynaston Powell, relict of sir John Kynaston Powell, bart., of Hardwick.

27. At Sydney, New South Wales, aged 47, Allan Cunningham, esq., whose botanical and geographical researches in New Holland are well known to the scientific world. To him we owe many of the beautiful shrubs that now adorn our green-houses and conservatories. The colonists of New South Wales are also much indebted to his exertions for discovering and pointing out new grazing land, on which their flocks and herds are spreading throughout that great southern land.

— At Lahore, in his 60th year, Maha Rajah Runjeet Singh, chief of Lahore and Cachmine. The career of this extraordinary chieftain developed the character of a man born to change, or materially influence, the destinies of a vast portion of mankind. Proud, restless, ungovernable, impatient of restraint, he ruled with despotism over twenty millions of people, and aided by the fertile powers of his mighty genius, rose from a common thief to be a conqueror of princes, and became the friend and ally of the British government in India. Runjeet Singh is represented as having had no education in any branch of learning or science. He could not himself read or

write in any language, but he had the sense and discretion to appreciate, and apply for his own advantage, the acquirements of others. In action he was personally brave and collected; but his plans displayed no boldness or adventurous hazard. His fertility in expedients was wonderful. His uniform career through life proves him to have been selfish, sensual, and licentious in the extreme, regardless of all ties of affection, blood, or friendship, in the pursuit of ambition or pleasure; he was not, however, blood-thirsty, and never took life, even under circumstances of great aggravation. Indeed, his laws prohibit the punishment of death. With the aid of his confidential officer, general Allard, he had brought his army into the finest state of skill and subordination. He had an ardent passion for precious stones and fine horses. His jewels were said to be the richest and finest in the world; and the riches and magnificence of his court and palace to exceed all that we hear of among oriental princes. Among the incidents connected with the death of Runjeet Singh, none is more worthy of being recorded than the fact of four princesses, his wives, and seven slave girls, having been permitted to burn themselves on his funeral pyre. Runjeet Singh left the celebrated diamond, called the "*Khah-i-noor*," or *Mountain of Light*, so long coveted by the princes of India, as a legacy to be worn by the chief idol of Juggernaut.

28. At Cheltenham, aged 60, John Bernhard, Esq., member of the corporation of Hull. Mr. La Marche had been in this country about thirty-four years, and was a distinguished merchant.

— At Ackworth, in her 65th year, Elizabeth, relict of the right rev. T. F. Middleton, first bishop of Calcutta.

29. At Leamington, aged 60, lady Augusta, relict of the rev. G. F. Tavel, of Campsey Ash, Suffolk, and sister to the duke of Grafton.

29. At his palace at Rome, aged 68, Francisco Aldobrandini, prince de Borghese. He was the younger son of prince Marco Antonio, well known for his love of the fine arts and hatred of the revolutionary French, and brother to prince Camillo Borghese, who, on the contrary, entered into the French service, and married in 1803

DEATHS.—JUNE.

Marie-Pauline Bonaparte, sister of the first consul, and widow of general Le Clerc. The younger brother, who was styled the prince of Borghese Alodbrandini, also entered into the service of France on the invasion of Italy. He distinguished himself at the battle of Austerlitz; and he afterwards became colonel of the carabineers, and at the head of his corps, acted during the campaigns of 1806 and 1807 against the Prussians, and in 1809 against the Austrians, where he was the theme of panegyric for his bravery. He was wounded at the battle of Wagram. Having attained the rank of general, and obtained some civil honours, he submitted to the royal authority, and returned to his native country. He succeeded his brother, who died without issue, since 1831. Prince Francisco Borghese married in France Adele-Marie-Constance-Francoise, daughter of Alexander Comte de la Rochefoucauld, by whom he had issue a daughter and three sons.

30. At Constantinople, aged 54, the sultan Mahmoud the Second. This prince was born on the 20th of July 1785, and ascended the imperial throne immediately after the deposition and murder of Mustapha IV. in 1808, being then in the twenty-third year of his age. The murder of his predecessors, Selim and Mustapha, by the Janissaries, who had completely usurped the government of the kingdom, made a deep impression on his mind. Seeing no other way to rid himself of them, he resolved upon their indiscriminate slaughter. From the dome of the mosque of St. Sophia he gazed upon the terrible carnage which gave freedom to the empire. So bloody a commencement of a reign was supposed to presage a continuance of cruelty, but, happily for Turkey, the sultan no sooner found himself free from personal danger than he directed all the energies of a daring mind to improve the social and moral condition of his subjects. His chief opponents were the priests, who scrupled not to accuse him of infidelity, and who, by attributing every defeat sustained by his arms to the displeasure of the prophet, raised a clamour against him among the zealots of the mussulman faith, which greatly embittered his life. In the war with Russia, which

continued from 1809 to 1812, he lost Bessarabia and a part of Moldavia; next followed the revolution which restored independence to Greece; and, to complete his misfortunes, the pacha of Egypt intimated a determination to perpetuate the government of Egypt in his own family. Sultan Mahmoud died in the midst of the agitations arising out of this question, and almost immediately after the defeat of his army in a last attempt to reduce the power of his rebellious viceroy, leaving as his successor a son only seventeen years of age.

— At Ongar, Essex, Sarah Heyliger, relict of count Walterstorff, many years ambassador at Paris from the court of Denmark.

Lately. In Clarendon-square, in his 88th year, Marlow Sidney, esq., of Cowpen Hall, Northumberland.

— At sea, on board the Northumberland, on his passage home from India, Charles Slade, major 3d Light Dragoons, second son of general sir John Slade, bart.

— At Dublin, in her 79th year, Mrs. Wall, relict of archdeacon Wall.

— At Dublin, at an advanced age, the right hon. Margaret viscountess Mountjoy. She was the eldest daughter of Hector Wallis, esq., became the second wife of the right hon. Luke Gardiner, lord viscount Mountjoy, in 1793, and was left his widow in 1798, having had issue Charles John, the late earl of Blessington, and Margaret, married to John Hely Hutchinson, esq., M. P., county Tipperary.

— In Newman-street, aged 66, J. Pastorini, sen., miniature painter, many years of Rathbone-place.

— At St. Pancras, aged 72, Edward Coleman, esq., principal veterinary surgeon to her majesty's cavalry, professor of the royal veterinary college, and fellow of the royal society, &c. He was the author of a Dissertation on suspended respiration from Drowning, Hanging, and Suffocation, 8vo. 1791. Observations on the Structure, Economy, and Diseases of the Foot of the Horse, and on the principles and practice of Shoeing, 2 vols. 4to. 1798-1803. Observations on the formation and uses of the natural Frog of a Horse, with description of a patent Artificial Frog, 8vo., 1800, and other professional works.

350 ANNUAL REGISTER, 1839.

DEATHS.—JULY.

JULY.

1. Within a few days of each other, Arthur second son, and George eldest son, of G. B. Airy, M.A., astronomer royal.

— Suddenly, at his residence, Serpentine-terrace, Knightsbridge, in his 74th year, the right hon. Richard Bingham, second earl of Lucan (1795), and baron Lucan of Castlebar, county of Mayo (1776), a representative peer of Ireland, and the eighth baronet (of Nova Scotia, 1632). His lordship was the only son of Charles the first earl, by Margaret, daughter and co-heiress of James Smyth, of Canon's Leigh, county of Devon, esq. In 1794, as the hon. Mr. Bingham, he made himself conspicuous by his marriage with the divorced lady Elizabeth Howard, the first wife of the present duke of Norfolk, and the third daughter and co-heiress of Henry Bellaysse, second and last earl of Fauconberg. After this marriage lord Bingham lived in close retirement, at Washington, the seat of sir Thomas Apreece, bart., in Huntingdonshire, until, on the death of his father, 1799, he succeeded to the family titles and estates. He was elected a representative peer for Ireland, in 1802. He was opposed to the reform of parliament; and voted in the majority which ousted lord Grey's ministry, in May, 1832. By the lady already mentioned, who died March, 1819, the earl of Lucan had issue five daughters and two sons.

— At Wells, at a very advanced age, Mrs. Gambier, relict of vice-adm. James Gambier.

— At Bombay, aged 36, George Rousseau, esq., examiner in equity in the Supreme Court of Judicature.

— On board the ship *Boyne*, on his return from Bombay, aged 37, Charles Grey, esq., eldest surviving son of the late hon. and right rev. Edward Grey, bishop of Hereford, and nephew of earl Grey.

2. At the house of his sister, Mrs. Wyndham Lewis, Grosvenor Gate, lieutenant-col. William Viney Evans, major of the 29th Foot.

3. At Leamington, aged 89, Francis Fortescue Turville, esq., of Bosworth Hall, Leicestershire, a magistrate for that county. He was, by his mother, descended from an ancient Roman

Catholic family seated at Aston Flamville, in Leicestershire. His paternal great-grandmother was Frances, dau. of Charles Fortescue, esq., of Husband's Bosworth; and on the death of his grandfather's cousin-german, Miss Maria Alethea Fortescue, in 1763, his father, (William Turville, esq.), inherited by that lady's will, the Fortescue property at Husband's Bosworth, with some estates in Oxfordshire, Northamptonshire, and Buckinghamshire. The gentleman now deceased succeeded to the family property on his father's death in 1777. He married, in 1790, Barbara, daughter of the hon. Charles Talbot, of Hore Cross, in Staffordshire, grandfather of George, 14th earl of Shrewsbury, and aunt to the present earl. By that lady, who died in 1806, he had issue six sons and two daughters.

3. At the residence of his son, the rev. Sidney H. Widdrington, Manor House, Bexley, lieutenant-general David Latimer Tindal Widdrington, K.C.H.

4. At Leamington, Leamington, third daughter of sir F. Strange, of Upper Harley-street.

— At Cheltenham, aged 83, sir Francis Henry Drake. He assumed the title of baronet after the death of sir Francis Henry Drake, the fifth and last baronet of Buckland, co. of Devon, who died in 1794, when the title became extinct, and has since been revived in the family of Fuller Drake.

— At Carlton, near Smith, Yorkshire, in the 86th year of his age, Thomas Stapleton, esq. He was the eldest surviving son of Miles Stapleton, esq., of Clinty, in the county of York, by his second wife, the lady Mary Bertie, daughter of William, 1st earl of Abingdon, and resided many years at Richmond, in Yorkshire, being in the commission of the peace and deputy-lieutenant for the North Riding. In the month of February preceding his death, he removed to Carlton Hall, the ancient seat of the family, in the West Riding of Yorkshire; to which estate he became entitled upon the demise of Catharine lady Throckmorton, relict of sir George Throckmorton, bart., of Coughton, in the county of Warwick, and of Weston Underwood, in the county of Bucks, whose father, Thomas Stapleton, esq., of Carlton, established his claim as

DEATHS.—JULY.

senior co-heir of the barony of Beaumont before the house of lords, March 1798. Mr. Stapleton was twice married, and left issue by both wives. Miles Thomas Stapleton, esq., the eldest son, has petitioned the crown for a termination of the abeyance of the barony of Beaumont in his favour, as senior co-heir.

5. At Buckingham Palace, aged 33, lady Flora Hastings, lady of the bed-chamber to the duchess of Kent; eldest daughter of Francis late marquess of Hastings and Flora countess of Loudon. Her ladyship died from an enlargement of the liver; and this unfortunate disease gave rise early in the year to a cruel slander, with the discussion of which the newspapers were subsequently much occupied, and some further notice of which will be found in the Appendix. The affair was first brought before the public, by the following letter from Mr. Hamilton Fitzgerald, who married a sister of the late marquess of Hastings. It was published in the *Examiner* of Sunday, March 24, and afterwards in all the daily papers; and ~~and~~ contains a full statement of the case, we shall give it at length:—

"Sir,—Many false and contradictory reports of the deplorable insult which has been lately offered to my niece, lady Flora Hastings, at Buckingham Palace, having appeared in the public papers, I, as her ladyship's nearest connexion, feel it my duty to request of you to publish the following account of the transaction, for the correctness of which I vouch.

"Lady Flora arrived some weeks since from Scotland, very unwell. She immediately consulted sir James Clark, the physician to both her majesty and the duchess of Kent. One symptom of her complaint was a swelling of the stomach. By dint of exercise and medical treatment she was getting better; the swelling had considerably subsided, and she had every hope of a speedy recovery; when, on or about the 1st of March, sir James Clark went to her room, and announced to her the conviction of the ladies of the palace that she was pregnant. In answer to all his exhortations to confession, 'as the only means of saving her character,' lady Flora returned an indignant but steady denial that there was any thing

to confess. Upon which, sir James Clark told her, 'that nothing but her submitting to a medical examination would ever satisfy them, or remove the stigma from her name.' Lady Flora found that the subject had been brought before the queen's notice, and that all this had been discussed, arranged, and denounced to her, without one word having been said on the subject to her own mistress, the duchess of Kent; who had no suspicion of what was going on, and whose sanction was not sought for the humiliating proposition which had been made to lady Flora. On leaving lady Flora's room, sir James Clark went to the duchess of Kent, and announced his conviction, that lady Flora was with child; and was followed by lady Portman, who conveyed a message from her majesty to her mother to say, that the queen would not permit lady Flora to appear till the examination had taken place. Lady Portman (who with lady Tavistock are those whose names are mentioned as most active against lady Flora) expressed to the duchess of Kent, her conviction of lady Flora's guilt. 'Her beloved mistress' never for a moment doubted lady Flora's innocence. She said that she knew her, her principles, and her family, too well to listen to such a charge. However, the edict was given; and the next day, lady Flora having obtained the duchess of Kent's very reluctant consent—'for her royal highness could not bear the idea of her being exposed to such a humiliation,'—but lady Flora, 'feeling it her duty to her royal highness, to her family, and to herself, that a point-blank refutation should be instantly given to the lie,' submitted herself to the most rigid examination; and now possesses a certificate, signed by sir James Clark, and also by sir Charles Clark, stating, as strongly as language can state it, that there are no grounds for believing that pregnancy does exist, or ever has existed. Lord Hastings, though at the time very ill from influenza, went to London instantly, and demanded and obtained from lord Melbourne, a distinct disavowal of his participation in the affair; and demanded and obtained an audience of her majesty, in which, while he disclaimed all idea that the queen had

DEATHS.—JULY.

any wish to injure his sister, he plainly, though respectfully, stated his opinion of those who had counselled her, and his resolution to find out the originator of the slander, and bring him or her to punishment. Lady Flora is convinced, that the queen was surprised into the order which was given, and that her majesty did not understand what she was betrayed into; for ever since the horrid event, her majesty has showed her regret by the most gracious kindness to lady Flora, and expressed it warmly, with 'tears in her eyes.' The duchess of Kent's conduct was perfect: 'a mother could not have been kinder.' She immediately dismissed sir James Clark from her service, and refused to see lady Portman; and has crowned her goodness by a most beautiful letter, she has written to the dowager lady Hastings, from whom the accounts were kept till all hope of avoiding publicity was impossible.

"I am, sir,

"Your very obedient servant,

"HAMILTON FITZGERALD.

"March 12."

The marquess of Hastings, who came to town, immediately on hearing of the imputation cast on his sister, demanded and obtained an audience of the queen, in which he strongly expressed his indignation at the slander, and his determination to discover and expose its author. In this, however, we do not know that the noble lord fully succeeded, though had he entertained any desire of vengeance, it would, we think, have been amply satisfied, by the unpopularity in which this unfortunate affair involved the whole court. Letters on the subject continued for some months to appear in the papers. Lady Loudon demanded of the queen, but unsuccessfully, the dismissal of sir James Clark. A statement in justification of this gentleman's conduct, which had been long withheld, appeared in the papers late in the year, but was generally considered unsatisfactory. Meantime, the object of all this agitation, after resuming for a time the duties of her situation, grew gradually worse, and at length expired on the 5th of July. By the desire of lord Hastings, a *post mortem* examination of the body took place, the particulars of which, attested

by five of the most eminent surgeons of the metropolis, were published in the papers, and fully established the unfortunate lady's complete innocence of the charge brought against her. Lady Flora's remains were removed from the palace, at an early hour in the morning, to be conveyed to Scotland, on board the Royal William steam-ship, lying at St. Katherine's Docks. Even as early as two o'clock, a considerable number of spectators were assembled, which increased in every street through which the procession passed. Four royal carriages, including those of the queen, and queen-dowager, and many belonging to the nobility, accompanied the hearse. Lady Flora's body was interred, on the 15th of July, in the family vault at Loudon, Ayrshire.

6. In Grafton-street, aged 65, Col. Charles Henry Dillon.

7. At Clapham, in her 76th year, Mrs. Baldwin, once a celebrated beauty, and the original of a beautiful picture by Sir Joshua Reynolds, in the marquess of Lansdowne's gallery at Bowood. There is also a well-known picture of her by Gainsay, styled "The portrait of a Grecian lady," engraved by Bartolozzi, in 1782; in which Mrs. Baldwin is represented dancing and playing on the tambourine. This artist made a series of sketches of the same lady, in several graceful attitudes, but unfortunately only one was engraved. Mrs. Baldwin was the daughter of an English merchant, residing at Smyrna, and married, when scarcely emerged from childhood, George Baldwin, esq., a wealthy merchant of Alexandria, in whose company she visited Vienna about the year 1780, where her bust, executed by Cerrachi for the emperor Joseph I., is still preserved in the sculpture gallery. She proceeded to London the following year; the fame of her beauty had preceded her, and the prince of Wales, afterwards George IV. was among the number of her admirers.

8. At Torquay, aged 37, lady Charlotte Sophia, wife of the rev. George Martin, canon residentiary of Exeter. She was third daughter of William second earl of St. Germain's, by his first wife lady Jemima Cornwallis.

— At Brecon, aged 69, Hugh Bold,

DEATHS.—JULY.

esq., late chairman of the sessions, and a deputy-lieutenant of Brecon.

9. In his 78th year, sir James Gregan Crawford, the second baronet, of Kilbirney, county of Stirling (1781.)

— At Camp-hill, near Birmingham, aged 49, Thomas Knott, esq., a proprietor and for twenty-five years the editor of *Aris's Birmingham Gazette*, and one of the governors of king Edward's school.

11. In Wimpole-street, lady Carew, wife of sir Thomas Carew, R. N.

12. At Cape Coast, Africa, the widow of Joseph Dawson, esq., formerly governor of Cape Coast Castle.

13. At Knutsford, Cheshire, captain Joseph Barra, formerly of the 16th Lancers, with which he served in the Peninsula and at Waterloo, and for many years adjutant of the Cheshire yeomanry. At his funeral a sword was placed upon his coffin, which bears this inscription: "To lieutenant and adjutant Barra, 16th or Queen's Light Dragoons, this sword was presented by the officers of his regiment, as a token of their high esteem and approbation of his services, both at home and abroad, March 30, 1815."

— Aged 84, Mr. Walker Row, of Great Marlborough-street, author of several literary productions, and gratuitous editor of the *Gospel Magazine* for forty-four years.

14. In Barbadoes, the hon. Joshua Bethell Nurse, member of her majesty's council in that island.

— At his residence at Margate, aged 73, Ubaldo Monzani, esq., the celebrated composer and flautist. This eminent performer was born in Italy, but had resided for many years in this country. He was formerly first flute at the Opera, and performed at most of the principal concerts and music meetings. (Latterly he was occasionally heard as a concerto player, and was largely engaged in the music trade as in the manufacture of flutes, under the firm of Monzani and Hill, Regent-street.

15. At Bethnal-green, aged 75, Joseph Merceston, esq. He was supposed to be worth about 300,000*l.* though he always appeared to be in poor circumstances. He was followed to his grave in the parish churchyard by Mr. Byng, M. P., and Mr. Mus-

grove, M. P., besides the churchwardens and all the parochial officers, the children of the poor school (of which he was governor), and of the workhouse. Nearly 20,000 persons were present.

15. In Hamilton Place, Piccadilly, in his 84th year, sir John Ramsden, the fourth baronet, of Byron, county of York (1689).

— At Brighton, Louisa Maria, wife of Marlow Sidney, esq.

— In Chester-square, of consumption, in his 37th year, Winthrop Mackworth Praed, esq., M. A., M. P. for Aylesbury, deputy high steward of the university of Cambridge, recorder of Barnstable, &c. Mr. Praed, was a son of the late William Mackworth Praed, esq., serjeant-at-law, formerly chairman of the audit office. He was formerly a fellow of Trinity-college, Cambridge; where he distinguished himself as well by the unprecedented number of prizes he carried away, as by his talents for debate as displayed at "*the Union*." Mr. Praed was elected fellow of his college, and was called to the bar at the Middle Temple in 1829. He went the Norfolk circuit, and was rapidly rising, till his parliamentary duties took him away from his profession. His political career has brought him much before the public. At the general election of 1831, he was returned to parliament for the borough of St. Germain's; and in 1835 he was returned with Mr. J. Baring for Yarmouth. He was secretary to the Board of Control from Dec. 1834 to the following April. At the last election he was returned for the borough of Aylesbury.

16. At Athlone, lieutenant James Edward Ferguson Murray, R. N., eldest son of the late major-general J. P. Murray, C. B., and cousin to Lord Ellbank.

17. At Compton, in his 83d year, Wyndham Goodden, esq., barrister-at-law, and for 24 years chief commissioner of the Bath Court of Requests.

18. At Maryfield, Lanarkshire, John Barr, esq., of Birmingham.

19. At Paris, Jane, eldest daughter of James Wilson, esq., chief justice, Mauritius.

— At Colston Bassett, Notts, Henry Martin, esq., bencher of Lin-

DEATHS.—JULY.

coln's-inn, and late one of the masters in chancery. He was called to the bar at Lincoln's-inn in 1789, appointed a king's counsel in 1807, and a master in chancery in 1831.

— At Fryern, near Storrington, Sussex, aged 27, Georgina, younger daughter of the hon. George King, and cousin to the earl of Lovelace.

20. At Leigh, Lancashire, the rev. John Topping, vicar of that parish. Mr. Topping, who had been for some years in a very weak state of health, shot himself with a horse pistol, just as his family and the officiating minister had proceeded to church. The occurrence, however, was supposed to be accidental, there being nothing to show that the deceased had committed or contemplated suicide. He had kept fire-arms in his house, having been denounced by name by the rev. Mr. Stephens at a chartist meeting. A coroner's jury returned a verdict of accidental death.

23. At Cheltenham, aged 60, sir Isaac Coffin, bart., G. C. H., admiral of the red. This gallant old officer was the fourth and youngest son of Nathaniel Coffin, esq., cashier of the customs in the port of Boston, America. He entered the royal navy in 1773, under the auspices of rear-admiral John Montagu, and was engaged in active service with but little intermission till the year 1794. From 1795 till 1804, he performed the duties of resident commissioner of the navy at various stations in the Mediterranean, at Halifax, and finally at Sheerness. In 1804, he was created a baronet as a reward for his unremitting zeal and persevering efforts for the good of the public service. At the general election of 1818, sir Isaac Coffin was returned to Parliament for the borough of Ilchester, for which he sat until the dissolution in 1826. In parliament he constantly paid much attention to naval matters, and not unfrequently shewed considerable wit and humour. Sir Isaac Coffin married, in 1811, Elizabeth Browne, only child of W. Greenly, esq., of Titley Court, Herefordshire, but had no issue.

— At Tottenham-park, aged 86, William Wright, esq. He was for fifty-four years in the service of the East India Company, nearly forty of which he held the situation of auditor-

general, with credit to himself and to the best interests of the company.

24. At Stowell Lodge, aged 82, Charlotte, widow of admiral sir George Montague, G. C. B.

25. At Newton Priory, aged 63, Harriott Jane Bucknall Estcourt, eldest daughter of the late Thomas Estcourt, esq., of Estcourt, county of Gloucester.

27. At Houston, Texas, Vincent De Camp, esq., long and favourably known to the theatrical public, both in England and America. He was the brother of Mrs. Charles Kemble, and uncle of Fanny Kemble, now Mrs. Butler.

— At Manchester, in the state of Mississippi, aged upwards of 70, the veteran actor Chapman, long known at Covent Garden-theatre. He bore an excellent character, and has left a large family.

28. At Norwich, aged 56, John Chambers, esq., formerly of the Tything, Worcester; author of several topographical works and biographical notices relating to the counties of Worcester and Norfolk.

— At Highgate, William Shutt, esq., of Connaught-square, police-magistrate at Marylebone, and formerly of the Oxford circuit.

29. At Aonères, near Paris, aged 84, M. le Baron de Prony, peer of France, a foreign member of the royal society of London. Gaspard Clair-François-Marie Riche de Prony was born at Chamelet, in the present department of the Rhone. At the age of 21 he was admitted into the Ecole des Ponts et Chaussées, and soon distinguished himself by his successful application to the severer mathematical pursuits of that establishment. Perronet, at that time chief of the school, took considerable notice of him, and, in 1783, recommended him to the minister as a fit person to second himself in the important works on which he was then engaged. In 1785 M. de Prony went with Perronet to Dunkirk, to undertake the restoration of the port; and ultimately accompanied him to England, where they stopped some time. In 1786 M. de Prony was ordered to draw up a plan for the erection of the Pont Louis XVI. at Paris; and was appointed director of the works. The government discou-

DEATHS.—JULY.

finued, in 1791, the appointment of M. de Prony as assistant to M. Peronet; but, with an honourable feeling, he continued to discharge his duties as before without salary, until the death of that gentleman in 1793. The first volume of a work on hydraulic architecture was published by him in 1790, but he subsequently relinquished the idea of finishing it. Towards the end of 1791 he had been named engineer in chief at Perpignan; but a few months after, on the government deciding to draw up the *Cadastré*, or Great Territorial and Numerical Survey of France, he was charged with the superintendence of that immense undertaking. The political events that succeeded each other so rapidly at that period in France; did not permit of his taking much part in the practical survey; but his time was fully occupied with the direction of the matter, and several other important operations were successfully entrusted to his care. One of these arose from the new metrical system just then adopted, requiring that fresh trigonometrical tables should be calculated, adapted to all astronomical and geodesical calculations. The government of the day, which, in some of its decisions, was guided by ideas of no small grandeur, applied to M. de Prony for the calculation of tables on the centesimal scale; and, in its instructions delivered on this occasion, desired him to take care that, "while the tables should be as exact as possible, he should make them the greatest and most imposing monument of calculation that had ever been executed or even thought of." This gigantic task, M. de Prony undertook, and with the aid of experienced calculators whom he summoned to his assistance, in less than two years in a great degree fulfilled. His labours, forming 17 volumes folio in MS., were to have been printed by Didot, according to a contract passed between that eminent typographer and the government; but the fall in value of the *assignats*, and other causes, hindered the projected impression from being completed. This great monument of the industry and talent of M. de Prony has ever since remained in the library of the Observatory at Paris. In 1798 M. de Prony was named director-general

of the Ponts et Chaussées, having already, in 1794, been appointed professor of mechanics at the Ecole Polytechnique, on the first establishment of that celebrated institution. He had also been elected a member of the Academy of Sciences of the Institute. Napoleon, on his return from Italy, took notice of M. de Prony, and made him some advantageous offers at the time of the expedition to Egypt, to accompany the French army to that country. M. de Prony refused, and Napoleon never forgave him. The emperor had, however, the highest opinion of M. de Prony's talents, and employed him from 1805 to 1812, on important missions in several parts of France. It was in Italy, however, that his official occupations principally lay, where he executed several large works connected with the Po, and the ports of Genoa, Ancona, Venice, Pola, and the Gulf of Spezzia. The improvement of the Pontine marshes also fell to his lot; and gave rise to a very valuable geographical and hydrographical account of them, which he took the pains to draw up. After the Restoration, M. de Prony executed several missions in the departments, and especially in that of the Rhone, where he was consulted on the formation of some extensive embankments. He was created a baron by Charles X., and made a peer of France by Louis Philippe in 1836. Besides the works mentioned above, M. de Prony's other contributions to science fill 16 volumes 4to. He had a brother, better known by the family name of Riche than that of Prony, who was a distinguished naturalist, and formed part of the expedition sent out to search for the unfortunate La Peyrouse, dying in 1797 from the fatigue he experienced on his long cruise.

30. At Glasgow, Colonel Alexander Wedderburn, of Inocrisk Lodge, Musselburgh, late of the Coldstream Guards, brother to sir D. Wedderburn of Ballendean, county of Perth, bart. He served in Spain and Portugal, and in 1813 was aid-de-camp to the earl of Hopetown.

Lately. At his house at Compton, in his 83d year, Wyndham Gooden, esq., barrister at law, and for nearly 34 years chief commissioner of the

DEATHS.—JULY.

Bath Court of Requests. He was called to the bar at the Middle Temple June 26, 1789.

— In Wilton-place, aged 86, Mr. R. Elliot, last surviving member of those who instituted the Druids Society 60 years since, which, it is said, now extends to all parts of the world, and numbers more than 1,000,000 of members.

— In Oxford street, aged 77, George Saunders, esq., F. R. S., F. S. A., architect; a magistrate for Middlesex. He was formerly architect to the British Museum, where he built the Townley Gallery. He was also surveyor to the commissioners of sewers; and in 1833 he communicated to the Society of Antiquaries a very curious paper, being the Results of an Inquiry concerning the situation and extent of Westminster, at various periods, which is printed in the *Archæologia*. Mr. Saunders was also the author of "A Treatise on Theatres, Lond. 1790," 4to.; and of "Observations on the Origin of Gothic Architecture," in a letter to sir Joseph Banks, printed in the *Archæologia*. He erected the theatre at Birmingham, which has been considered one of the best for the audience ever designed.

31. At Dunmanway, aged 86, Arthur Lemuel Shuldham, formerly colonel of the East Devon Yeomanry, and deputy-lieutenant for Devon.

— At Rowde, in her 86th year, Mrs. Locke, mother of the late Wadham Locke, esq., M. P., of Rowdeford-house.

— The hon. and rev. Boleyn Howard, uncle to the earl of Wicklow.

Lately. In his 80th year, the right hon. John Francis Caradoc, baron Howden of Grimsdon and Spaldington, and of Cradockstown, county of Kildare, in the peerage of Ireland (1819); baron Howden, of Howden and Grimsdon, county of York, in the peerage of the United Kingdom (1831); G. C. B. and K. C.: a general in the army, colonel of the 43d foot, and a member of the consolidated board of general officers. Lord Howden was the only son of the most rev. John Cradock, lord archbishop of Dublin, by Mary, widow of Richard St. George, of Kilrush, county of Kilkenny, esq., and daughter of William Bledwyn, of

Boston, county of Lincoln, esq. He entered the army in 1777. In 1795, he commanded the 13th regiment in the West Indies; upon the commencement of the war with Spain; and on his return was appointed quarter-master-general in Ireland, where he was specially employed by government in many of the disturbed counties in that kingdom. He went a second time to the West Indies, in the command of the 2d battalion of Grenadiers, under the orders of sir Charles Grey, and was present at the reduction of Martinique, St. Lucie, Guadaloupe, and at the siege of Fort Bourbon. On his return to England he received the thanks of parliament for his services. He was afterwards appointed to the staff in the Mediterranean, under sir Ralph Abercromby, and was in the actions of the 8th, 15th, and 21st of March, 1801. He was second in command of the division of the army that proceeded to Cairo, under Lord Hutchinson. Upon his return to England, at the termination of the campaign, he was again honoured with the thanks of parliament. Colonel Cradock was next appointed commander-in-chief of the East India Company's forces at Madras, and upon the departure of Lord Lake from India, he remained nearly a year in the command of all the forces in that peninsula. In 1803, he was appointed to command the forces in Portugal during that critical period before the arrival of sir Arthur Wellesley, and afterwards was appointed to the government of Gibraltar, which however he held for only a short period. In 1811, he was made governor of the Cape of Good Hope, and commander of the forces on that station. This situation he resigned in 1814. By patent dated Oct. 1819, colonel Cradock was created a peer of Ireland, by the title of baron Howden; and at the coronation of king William the Fourth, he was advanced to the dignity of a peer of the United Kingdom. By royal licence he now altered his name to Caradoc, deeming that to be the ancient and veritable orthography. Lord Howden married in 1798, lady Theodosia Sarah Frances Meade, third daughter of John first earl of Clanwilliam, by whom he had issue an only son, the present lord Howden.

DEATHS.—AUGUST.

— At Castle Archdall, county of Fermanagh, suddenly, by the breaking of a blood-vessel, aged 76, Mervyn Archdall, esq., a general in the army, lieutenant-governor of the Isle of Wight, &c. He was the eldest son and heir of Mervyn Archdall, esq., M. P. for the county of Fermanagh, by the hon. Mary Dawson, daughter of William Henry viscount Carlou, and sister to John first earl of Portarlington.

— At Edinburgh, aged 82, the rev. Archibald Alison, B. C. L., senior minister of St. Paul's chapel in that city, prebendary of Sarum, rector of Roddington, vicar of Ercall, and perpetual curate of Kenley, all in Shropshire, F. R. S. London and Edinburgh. He was the son of Andrew Alison, esq., of Edinburgh; was matriculated of Balliol college, Oxford, 1775; and proceeded to the degree of B. C. L. March 23, 1784. Mr. Alison published the following works:—"An Essay on the Nature and Principles of Taste," 4to., 1790, which has passed through several editions; a "Discourse on the Fast Day;" and other Sermons. He was also the author of a "Memoir of the Hon. Alexander Fraser Tytler, Lord Woodhouselee," published in the "Transactions of the Edinburgh Royal Society, 1818."

AUGUST.

2. In Mil-street, Lambeth-walk, at the advanced age of 91, Abraham Saunders, the celebrated showman. Saunders had the credit of having fostered into life some of the stars who have adorned the stage. Edmund Kean, when he left his father, was adopted by him, and from his peculiar agility played clown in his company for many months. Mr. W. West, the comedian, husband of the tragic actress of that name, was brought into notice by Saunders. Ducrow was originally also his *élève* and *protégé*.

— At Paris, aged 17, Louisa-Charlotte Yea, youngest daughter of Robert Grant, esq., of Monymusk, Aberdeenshire.

5. At Naples, Bernard Brocas, esq., of Wakefield-park, Berks, and Beaufort-paire, Hants. He formed a very large collection of ancient armour,

which was sold a few years ago at the Queen's Bazaar, Oxford-street.

— At Northallerton, aged 70, Mr. John Jackson, the celebrated north-country horse-jockey. He won the Doncaster St. Leger no less than eight times, viz. in the years 1791, 1794, 1796, 1805, 1813, 1815, and 1822.

— In her 17th year, Mary Jane, second daughter of the late sir George Cornwall, bart., of Moccas-court. She was amusing herself with her brothers in a boat on the Wye, when she overbalanced herself, and fell into the river.

Lately. At Hadley, Hertfordshire, aged 79, Mrs. Eliza Mackenzie, daughter of William Mackenzie, esq., of Humberston, and sister of the late lord Seaforth.

— At Fareham, lady Griffith Colpoys, relict of vice-admiral sir E. G. Colpoys, K. C. B., and previously of sir John Wilson, judge of the common pleas.

6. At Edinburgh William Bell, esq., advocate, author of the "Dictionary and Digest of the Law of Scotland."

— At Southampton General John Pare.

— At Gloucester, aged about 55, Mr. John Chadborn, solicitor, the executor and residuary legatee under the will of the late Mr. James Wood, the wealthy banker and shopkeeper, since whose death his attention had been almost wholly engrossed with the proceedings consequent upon the disputed validity of the will. About eight o'clock in the morning, the body of Mr. Chadborn was found suspended by a rope; life had been extinct some time. Verdict—"Temporary insanity."

7. At Alnwick, Northumberland, Edward Berens Blackburn, esq., late chief justice at the Mauritius.

— In Devonshire, aged 41, sir Christopher Sidney Smith, the second baronet, of Earldiston, county of Worcester (1809).

— At Sandhurst, near Gloucester, the rev. W. F. Mansel, vicar of that parish and Ashelworth, eldest son of the late bishop of Bristol.

8. In Wilton-place, Louisa, wife of Samuel Davis, esq., of Swerford Park, Oxfordshire, only daughter of the late lieutenant-gen. Robert Bollen.

DEATHS.—August.

— At Rockhall, Dumfriesshire, sir Robert Grierson, the fourth baronet, of Lag, county of Dumfries (1685); a lieutenant on half pay of the 11th Foot. The age of this venerable gentleman had long formed a subject of speculation among his neighbours—that he was above a hundred was considered certain. Singularly gifted in regard to health, he appeared equally exempt from the pangs of dissolution, “dropped like a pear grown fully ripe,” and slept rather than struggled away. In 1768, he entered on the entailed estate of Rockhall, on the demise of his father, sir Gilbert, a younger son of the well-known Grierson of Lag, (the first baronet, who married lady Henrietta Douglas, dau. of James second earl of Queensberry.) Previous to this event he had become a soldier, served a year as ensign in the 6th, and five years in the 11th. His commission in the latter regiment is dated October 1761, and he actually drew half-pay for the extraordinary period of seventy-six years. Part of his military life was spent abroad, and he was present at Gibraltar, when a *feu de joie* was fired in honour of the birth of George IV. The remains of this “good old country gentleman” were interred in Mousewold churchyard, on the 15th of August, in presence of about 300 mourners. The tenantry having specially requested that a hearse might be dispensed with, the coffin was borne by willing arms a distance of more than two miles. Sir Robert Grierson married, in 1778, lady Margaret Dalzell, daughter of Alexander, who, but for the attainder, would have been seventh earl of Carnwath. This lady died many years ago, having had issue four sons and six daughters.

9. At Sorento, near Naples, Miss Isabella Keir, sister of sir W. K. Grant, K.C.B.

— Aged 35, John Sturges Martin, esq., of the Colonial-office, youngest son of the late rev. Jos. Martin, of Ham Court.

10. At Putney, aged 81, sir John St. Aubyn, the fifth baronet, of Clowance, co. of Cornwall (1671); F.R.S., F.S.A., F.L.S., &c.

Lately. At Notting Hill, aged 57, the hon. Albinia Irby, sister to lord Boston.

— At Woolwich, aged 62, colonel Rogers, C.B., of the Royal Artillery.

10. At Adlington Hall, Lancashire, in his 93d year, sir Robert Clayton, the second baronet of that place (1774), the senior major in her majesty's army.

12. In Dorset-square, aged 51, major William Saunders, Royal Horse Artillery. He served in the Peninsula, and was wounded at the attack of Christoval.

— At Cheltenham, in his 95th year, sir James Steuart, bart., G.C.H. the senior general officer in her majesty's service and colonel of the 1d Dragoons, or Scots Greys.

— At Bath, aged 90, lieutenant-general sir Thomas Dallas, of the East India Company's service.

13. In Gordon-place, aged 77, lieutenant-general Anthony Walsh.

— At Newport, Jane, widow of sir N. W. Wrexall, bart.

14. At Wilton-crescent, Charles Hope Maclean, esq., barrister-at-law. He was the seventh and third surviving son of Alexander, thirteenth lord of Ardour, by lady Margaret Hope, daughter of John second earl of Hope-toun, by lady Elizabeth Leslie, dau. of Alexander, fifth earl of Leven and Melville. Mr. Maclean was M.A. of Balliol College, Oxford; and was called to the bar at the Middle Temple, July 1829. He practised in the Home Circuit and Surrey Sessions; and he was one of the secretaries of the Statistical Society.

— At Moka, in the Mauritius, sir Robert Barclay, bart., formerly collector of the internal revenues in that island.

15. At Madras, lieutenant-col. Edward Lloyd Smythe, of the Madras Cavalry. He had served in India from the year 1800, and was present at the battle of Assaye. He was descended from an ancient family at North Nibley, in the county of Gloucester.

16. At Stoke, near Exeter, aged 97, Frances, wife of the rev. J. L. Popham, of Chilton, Wilts.

— At Franch, near Kidderminster, in his 70th year, John Corrie, esq., of Woodville, near Birmingham, F.R.S., president of the Birmingham Philosophical Institution, and justice of the peace for the county of Stafford.

18. At his residence, Fountain Dale,

DEATHS.—August.

Netts, aged 73, lieutenant-general Samuel Need, colonel of the 9th Lancers.

— At Bath, aged 69, rear-admiral James Master.

— The hon. Georgiana Craven, aged 67, aunt to the earl of Craven.

19. The rev. Bourchier William Wrey, for fifty-four years rector of Coombeinteignhead, Devon; thirty-eight years rector of Tawstock, in the same county; and for fifty years perpetual curate of Temple Grafton, Cornwall; uncle to sir Bourchier Wrey, bart.

— In Portland-place, the right hon. Elizabeth lady Colville, wife of vice-adm. lord Colville. She was the only daughter of Francis Ford, esq., and sister of sir Francis Ford, bart., was married in 1790, and had issue an only daughter, who died in infancy.

— In Bedford-row, aged 46, Mr. Edgar Taylor, an eminent solicitor. He was descended from Dr. John Taylor, a minister among the English presbyterian non-conformists, in the former half of the last century, and an eminent biblical scholar. Mr. Taylor may be considered as having been, for several years, the principal legal adviser of the body of dissenters to which by birth, education, and principle he belonged. In the affair of the repeal of the Test and Corporation Acts, in the Dissenters' Marriage Bill, and in all that has been done in respect of Dissenters' Registrations, he had much to do, both in what was printed on the subjects, and in personal communications with the ministers and other public functionaries. He was the author of several papers in "The Jurist," and of various pamphlets on subjects connected with his profession. But while diligently engaged in the business of his office, which under his management grew to be one of the largest in London, Mr. Taylor was also cultivating with success various departments of literature. With the family attachment to biblical studies, he undertook to superintend the printing of an edition of the New Testament, after Griesbach, at the press of his relative, Mr. Richard Taylor, performing at the same time, the intricate task of incorporating the additional collations with those which were in the body of the work. This and the frequent perusal of the book, together with the instruction which he had received

from Dr. Lloyd, of Palgrave, in whose school he received his early education, made him a good New Testament critic, of which a translation of the whole of the New Testament Scriptures made by him, and partly printed, is said to be a valuable proof. He early acquired a mastery of the German language, and with it a taste for German literature. In 1822, the first volume appeared of a work, entitled "German Popular Stories," which was followed, after some years, by a second volume, and which has just appeared under a new title. Another work in the same department of literature is, his "Lays of the Minnesingers," These works led him into a correspondence with professor Benecke, on the German literature of the Middle Ages. His next publication was a volume entitled by him, "The Book of Rights." It is a useful collection of the various charters and acts of parliament by which the liberties of the English people are secured. To these may be added, his translation of that part of the Roman de Rou of Wace, which relates to the conquest of England by the Normans, published by him in 1837. He was also the author of numerous articles in the periodical works of the time, especially in "The Monthly Repository," and he contributed his assistance to Mr. Southern, in "The Retrospective Review," as that work was originally conducted. Mr. Taylor was a fellow of the Society of Antiquaries, but we do not find that he contributed to their transactions.

20. At Cabul, lieutenant-colonel Robert Arnold, of her majesty's 16th Lancers. He was wounded at Badajos and at Vittoria, and was present at Waterloo.

— At Stone House, near Broadstairs, Josias Du Pré Alexander, esq., a Director of the East India Company.

— At Brook, Isle of Wight, aged 45, lieutenant H. A. S. Symmes, R.N., chief officer of the Coast-guard station. His premature death was attributed to his great exertions in saving the lives of the crew of the French brig Claire, wrecked off the island in December last, when he nearly lost his life by the swamping of his boat. For his conduct on that occasion, he received a gold medal from the Royal National Institution for saving Lives from Ship-

DEATHS.—AUGUST.

collections of fossils, with strict industry. The French government also transmitted him, through the Admiralty, a gold medal, which was put into his hands two days only before his death.

— At Havering Grange, Isabella, wife of major Anderson.

22. At Kemp Town, Sussex, aged 23, James Otto, youngest son of the late lieutenant-colonel sir Augustus Hulse, K.C.B. and G.C.H.

— At New Orleans, United States, of yellow fever, baron Hackett, of Hackett's Town, a native of Holland, whose ancestors emigrated from Ireland. He was an aid-de-camp to the prince of Orange, and served with distinction in the French army, particularly at the battle of Waterloo, and at the siege of Antwerp. The barony of Hackett's Town is said to be one of the Irish peerages that have become dormant, and the dignity is supposed to devolve upon the cousin-german of the late baron, Mr. Hackett, the American comedian.

— At Charing, aged 41, Edward Honeywood, esq., of Sibton, Kent.

23. At Swansea, in his 82d year, Thomas Jenkin, esq., of Stowting Court, Kent, and Godmanchester, near Huntingdon. For upwards of thirty years he held a confidential situation in the foreign department of the General Post-office, London.

24. At Orton Longueville, Huntingdonshire, aged 40, the right hon. Elizabeth Henrietta, countess of Aboyne. She was the eldest daughter of Henry, first marquess Conyngham, by Elizabeth, daughter of Joseph Denton, esq., and was married to the earl of Aboyne (then lord Strathavon) in 1826. Her ladyship died without issue.

— At Sunning Hill, Berkshire, in his 60th year, Michie Forbes, esq., of Sillwood, Berks, and Crimond, Aberdeenshire.

25. At Ross, aged 64, the rev. Thomas Underwood, canon residentiary of Hereford, rector of Ross, vicar of Upton Bishop, and a magistrate for the county.

26. At Margate, in her 70th year, the relict of Benjamin Kidman, esq. She bequeathed large sums of money to various charities.

27. At the Manchester and Bolton Hotel, Manchester-square, aged 97,

R.N., only surviving son of general sir Archibald Christie, bart.

28. At Aston, Cheshire, Arthur Wellington Hervey Aston, esq., lieutenant Life Guards, brother to Arthur Aston, esq., minister at Madrid.

— At Berhampore, East Indies, lieutenant-col. Arthur Macfarlane, 43d N.L., only surviving son of the late right rev. bishop Macfarlane, N.B.

— After a few days illness, aged 71, the rev. Francis Huxley, who was formerly rector of Clist Hydon, Devonshire, and the representative of an ancient family seated at Sand, near Sidmouth.

— At Northampton, aged 90, William Smith, LL.D. and F.G.S., the father of English geology. He was born at Churchill, in Oxfordshire, amidst the oolite formations, from an investigation of which he was subsequently conducted to geological discoveries of great importance. At the age of eighteen, he attached himself to the late Mr. H. Webb of Stow-on-the-Wold, to learn the business of land-surveying. In that situation Mr. Smith had opportunities of contrasting the blue and red marls of Worcester-shire with the "stonebrash" hills of Oxfordshire; and the distinctions thus brought under his notice as early as 1789, were the germ of that systematic analysis of English strata which he commenced in 1791. From this last date till 1799 he was continually occupied in the vicinity of Bath, as a land surveyor and civil engineer. In this latter profession he was engaged in executing the Somerset coal canal. Familiarized from childhood with some of the organic remains of the oolite, and acquainted with the blue and red marl below, Mr. Smith saw in Somersetshire these strata overlying the coal measures; and having made detailed sections of the coal strata, and collected organic remains from these various deposits, he found himself in possession of new and wide generalizations, which it became the enjoyment and the labour of his life to unfold. In the course of the two following years, while continuing the duties of a surveyor and civil engineer, he became gradually acquainted with all the minute facts of stratification in the country round Bath. He was in the constant habit of making

DEATHS.—AUGUST.

Andrew di Borgo Leslie Christie, esq., cations of their localities; and, he found, where the beds themselves were obscure, that he could, by organic remains alone, determine the true order of succession. During this period he also extended his surveys through the Cotteswold hills, and became acquainted with the general facts of the range of the colliery escarpment towards the north of England. At this period of his life Mr. Smith was utterly unacquainted with books treating of the natural history of the earth; he had no other teacher than that acquired 'habit of observation' which he has justly recommended to his followers. Before the year 1799 Mr. Smith had coloured geologically the large sheets of the Somersetshire survey, and a circular map of the vicinity of Bath. By maps and sections, and arranged collections of organic remains, he endeavoured to explain to many scientific persons those views regarding the regular succession and continuity of strata, and the definite distribution of animal and vegetable forms in the earth, which are now the common property of geology. Among those who heard his explanations at this early period, may be mentioned the rev. B. Richardson, of Exeter, who in 1799, wrote from Smith's dictation, the original 'Tabular View of the superposition of English strata,' which has since been presented to the geological society of London. Mr. Smith's engagement as engineer to the Somerset coal canal ceased in 1799, and he was from that time, for many years, almost continually travelling in various directions in the exercise of his profession. To this he appears not to have looked so much as a source of profit, as an occasion for seeing new districts, and completing his general survey of England and Wales. He was in the habit of attending the agricultural meetings called 'sheep-shearings,' at Woburn and Holkham, to exhibit his maps and sections for the information of the assembly. At one of these, in 1804, sir Joseph Banks originated a public subscription, to aid in defraying the cost of publishing his 'Observations on the Strata of England and Wales.' In 1804 he fixed his nominal residence in London, rearranged his collection there on a new

and curious plan, and received many distinguished visitors. But his time was principally passed in Norfolk and Suffolk, where he accomplished a remarkable work,—stopping out the sea from a vast extent of marsh land. In 1806 the first of his publications appeared,—a 'Treatise on Irrigation' from the Norwich press. For one of the successful efforts of irrigation directed by Mr. Smith, the Society of Arts awarded their medal. In 1811 appeared the first volume of the 'Geological Transactions,' in which Mr. Smith's discoveries regarding organic remains are noticed; in 1813 the rev. W. Townsend published the first volume of his curious work,—'The character of Moses vindicated,'—containing much information communicated by Mr. Smith; and at length, in August, 1815, appeared the long-expected 'Delineation of the strata of England and Wales,' on a new map engraved for the purpose by Messrs. Cary, of London. An arrangement was made in 1815, by which the British Museum became possessed of Mr. Smith's whole collection of organic remains, for the sum of 500*l.*; and the task of arranging and describing this collection, led to the publication of two works in 4to, entitled 'Strata Identified by Organized Fossils,' (1815), and 'Stratigraphical System of Organized Fossils,' (1817). Between the appearance of the great general map in 1815 and the year 1821, Mr. Smith published no less than twenty geological maps of English counties; and he did not afterwards desist from the labour of preparing others, amidst difficulties and privations such as few men devoted to science have endured. In 1819 Mr. Smith resigned his residence in London, and had, in fact, scarcely any home but the rocks until 1823, which year he passed in Kirby Lonsdale. In 1824 he delivered a course of lectures on geology to the members of the Yorkshire Philosophical Society; these were repeated in the same year, in conjunction with his nephew (professor Phillips) at Scarborough and Hull. A similar effort was made at Sheffield in 1825, and soon afterwards Mr. Smith accepted an engagement as agent to sir J. Johnstone, bart., of Hackness, near Scarborough, and withdrew for a while from the wandering life and

DEATHS.—SEPTEMBER.

endless labours he had imposed on himself. In 1836 he received the degree of LL.D. in Trinity college, Dublin. The unconquerable desire of personally tracing the strata of England and Wales, had involved Mr. Smith in extensive pecuniary difficulties, and an application having been made to the Crown, on the part of several eminent men of science, and station, in the country, an annuity of one hundred pounds was at length granted to him. Mr. Smith employed the latter years of his life in applying the discoveries of geology to practical uses, and was one of the committee which recently issued their report on the stone best fitted for the construction of the houses of parliament.

99. John Frederick Stoddart, esq., first puisne judge in Ceylon, son of sir John Stoddart, lately chief judge in Malta, and grandson, by his mother, of sir Henry Moncrieff.

30. At Toulouse, aged 21, William Tennent Dillon Tennent, B.A., only son of Richard Dillon Tennent, esq.

31. From the accidental discharge of a fowling-piece, aged 14, John, second son of sir Richard Musgrave, bart., of Tourin, county of Waterford.

— Aged 67, Richard Rodd, esq., solicitor, for upwards of twenty-five years clerk to the board of commissioners in Devonport.

— At Lensfield, Cambridge, on his 61st birthday, William Wilkins, esq., M.A.F.S.A., a royal academician, and professor of architecture in the Royal Academy. Mr. Wilkins was a native of Norwich, in which city his father, carried on a good business as an architect. He entered the university of Cambridge as a scholar of Caius and Gonville college, in 1796. In 1801 he succeeded to the University Traveling Bachelorship, and passed four years in Greece and Italy, in the prosecution of his studies as an architect. During that time he was elected a fellow of his college. His classical taste in designing public buildings was very soon appreciated; for, in competition, he won the palm, at an earlier period of his career, by his designs for the East India college at Haileybury, and Downing college at Cambridge. He was appointed architect to the East India company, on the resignation of Mr. Cockerill; in 1824 he was made a

Royal Academician; and on the demise of sir John Soane, 1837, Mr. Wilkins was appointed his successor as professor of architecture. His principal public buildings are the University Club-house, St. George's Hospital, the London University, and the National Gallery, in London; his colleges of Corpus Christi, Downing, and his additions to Trinity and King's, at Cambridge. Of his works of literature, his *Antiquities of Magna Græcia*, fol. 1807, his translation of Vitruvius, 4to. 1813, his editorial labours upon the works of the Dilettanti Society, and his restoration of the mutilated Greek inscriptions relating to the public edifices of Athens, are well known. He also communicated to the Society of Antiquaries in 1801 an account of the Prior's Chapel at Ely, with six plates.

Lately. At Kingston, near Dublin, John Martley, esq., Q. C., chairman of the East Riding of the county of Cork. Mr. Martley was the leader on his circuit, and as a sound lawyer, and able advocate, held a prominent position in his profession.

— At Pyrmont, near Tarbest, co. of Kerry, T. W. Sandes, esq., B.A., nephew to the bishop of Cabel.

— At Sierra Leone, Robert Rankin, esq., chief justice of that colony, eldest son of Thomas Rankin, esq., of Bristol.

— Aged 78, Solomon Polack, esq., an eminent artist and continual exhibitor in the Royal Academy during half a century.

SEPTEMBER.

1. At the Aust Passage, by the upsetting of a boat, William Crawshaw, jun. esq., of Cyfartha Castle, near Merthyr Tydfil, and ten other persons.

4. At Dominica, aged 54, the hon. Alexander Robinson, member of her majesty's council of that island.

— At Oxford, aged 70, Thomas Robertson, esq., town clerk, and clerk of the peace of that city, &c.

5. At Upper Gore House, Kensington, general David Douglas Wemyss, governor of Tynemouth and Cliffe Fort. Twenty-four years of general Wemyss's service were passed abroad;

DEATHS.—SEPTEMBER.

he served four years during the American war, twice in the West Indies, and in the East: thrice on the continent of Europe: was present at nine sieges, several general actions, and in innumerable minor affairs.

6. Murdered by the natives at Hyder Koel, colonel Herring, of the 37th N. Infantry. He was escorting five boxes of treasure for the army at Cabul.

— At Nutwood Lodge, Gatton, aged 72, lady *Jemima Helena*, wife of count John Charles Bentinck, and aunt to the earl of Athlone. She was the eldest daughter of Frederick, 6th earl of Athlone.

— At his seat, Wootton Court, Kent, in his 75th year, sir John William Head Brydges, knt., captain of Sandgate Castle, and a commissioner of Dover Harbour. He was the third and youngest son of Edward Brydges, of Wootton Court, esq., by *Jemima*, daughter and co-heiress of the rev. William Egerton, LL.D., prebendary of Canterbury, grandson of John, second earl of Bridgewater, by lady Elizabeth Cavendish, daughter of William duke of Newcastle. He derived the name of Head from his maternal grandmother, Anne, daughter of sir Francis Head, bart. The late clever but wayward person, sir Samuel Egerton Brydges, bart. was his elder brother.

7. At Dumfries, sir Andrew Halliday, K.H., M.D., F.R.S., Edinburgh and Gottingen. Sir A. Halliday's life from his youth up was one of action. He was educated for the church; but afterwards changed that profession for physic. After travelling through Russia and Tartary, he settled at Halesworth, near Birmingham, where he for some time pursued his practice. He afterwards served on the staff of the army, both in Portugal and Spain; was at the assault of Bergen-op-Zoom, and at the battle of Waterloo; and accompanied William IV. when duke of Clarence, in his journeys abroad in quest of health, in his professional capacity. He was a good scholar as well as a skilful physician, and his varied and general intelligence obtained him high esteem abroad as well as at home. Though of humble parentage, he was of good and ancient blood, for he came from that brave "Thom Halliday, my

sister's son so dear," as he was called by the renowned sir William Wallace. Besides several professional works, sir A. Halliday published a *Memoir of the Campaign of 1815*. 4to. Paris, 1816. A *History of the House of Brunswick and Lunenburg*. 4to. 1820. *Annals of the House of Hanover*. 2 vols. royal 8vo. 1826, and an excellent work on the West Indies.

8. At Merton-hall, Norfolk, aged 61, the right hon. and rev. Thomas de Grey, fourth lord Walsingham, of Walsingham in Norfolk (1780); M.A., archdeacon of Surrey, rector of Fawley, Hampshire, and of Merton, Norfolk.

— At Southampton, at the residence of her father, major-general the hon. W. H. Gardner, Ann-Europa, widow of Thomas Lewis Gooch, esq.

10. Anne, wife of the rev. James Saurin, archdeacon of Dromore.

11. At Kensington, the wife of general sir John Fraser, G.C.H.

13. At Thirlestane castle, county of Berwick, aged 80, the right hon. James Maitland, ninth baron Maitland of Thirlestane (1590), eighth viscount of Lauderdale (1616), earl of Lauderdale, viscount Maitland, and lord Thirlestane and Bolton (1624), in the peerage of Scotland; baron Lauderdale of Thirlestane, in the peerage of the United Kingdom (1806); a baronet of Nova Scotia (1672); K. T.; a privy councillor, heritable standard-bearer and marshal of the queen's household in Scotland, &c. &c. His lordship was the second but eldest surviving son of James, the seventh earl, by Mary Turner, only daughter of sir Thomas Lombe, knt., alderman of London. He was early placed under the superintendence of the learned Andrew Dalziel, LL.D., afterwards professor of Greek in the university of Edinburgh; and he completed his education at Paris. Returning home, his lordship was admitted a member of the Faculty of Advocates, 1780; was chosen member of parliament for Newport, in Cornwall, at the general election, same year; and for Malmesbury, 1784; rendering himself conspicuous in the house of commons by his opposition to lord North's administration, and attaching himself to Mr. Fox, of whose India Bill he was an energetic supporter, and one of the

DEATHS.—SEPTEMBER.

managers of Hastings's impeachment. He succeeded his father 1789, and in 1790 he was chosen one of the sixteen representatives of the Scottish peerage, following the same line of politics in the house of lords, and taking a frequent share in the debates. His lordship's publications on economical and political subjects were numerous. The principal one is his "Enquiry into the nature and origin of public wealth, which appeared in 1804." On the dissolution of the Pitt administration, 1806, the earl of Lauderdale was created a peer of the United Kingdom of Great Britain and Ireland, was sworn a privy councillor, and had the great seal of Scotland delivered to him. His lordship set off for Paris on the 2nd of August following, invested with full powers to conclude peace, the negotiations for which had been for several weeks carried on. Of the progress and fruitless termination of the negotiations, a clear account appeared in the London Gazette of 21st October, 1806, to which reference may be made. On the change of administration, the duke of Gordon was re-appointed keeper of the great seal of Scotland, April 1807. The earl of Lauderdale now having an hereditary seat in the house of lords, exerted himself actively in parliament. The pamphlets which at this period emanated from his lordship's pen had considerable weight attached to them at the time that bul- lion and other questions occupied the public attention. In politics, lord Lauderdale's opinions were, for that period, considered to be extreme in their liberality; and his appearance in the house of lords in the rough costume of Jacobinism made quite a sensation when the principles of the French revolution were in vogue with the democratic party in this country. It is known, however, that his views on this subject underwent a complete change, which was first publicly manifested by the prominent part which he took in favour of George IV. at the trial of that prince's ill-fated consort. He was also a strenuous opponent of the Reform Bill, and indeed, from the date of that measure he may be considered as the mainspring and mover of the high tory party among the Scottish peerage. For the last ten years lord Lauderdale lived in retire-

ment, devoted to agricultural pursuits. The earl married, August, 1782, Eleanor, only daughter and heiress of Anthony Todd, esq., secretary to the General Post-office; and by that lady, had issue four sons and five daughters, of whom two sons and two daughters only survive.

— At Rendlesham-hall, Suffolk, the right hon. and rev. William Thel-lusson, third baron Rendlesham, of Rendlesham, in the peerage of Ire-land (1806).

14. At Norwood, aged 32, the hon. Henry Cornewall Devereux, eldest son of viscount Hereford.

15. At Kensington Gore, aged 73, Henry Singleton, esq., of Charles-street, St. James's, for some time the oldest living exhibitor at the Royal Academy, and at other institutions connected with the fine arts.

17. At Richmond, aged 70, the right hon. Amabel Elizabeth dowager countess of Poinfret. She was the eldest dau. of sir Richard Borough, bart., by the hon. Anna Maria Lake, sister to viscount Lake, and was married, in 1823, to Thomas William, fourth and late earl, of Poinfret.

— Of fever, at the Gambia, coast of Africa, major W. Mackie, K.H., lieutenant-governor of the colony, and late of the 60th regt.

16. At New York, Edward Webb, esq., of Adwell, near Tetworth, Gloucestershire, formerly representa-tive of the city of Gloucester in parlia-ment.

— Aged 83, at the rectory, Trow-bridge, Wilts, lady Mary, widow of the late Andrew Berkeley Drummond, esq., of Cadlands, Hants. She was daughter of John, second earl of Eg-mont, by his second wife Catharine (Compton) baroness Arden; sister to the seventh and eighth earls of North-ampton.

19. At Hereford, aged 74, the rev. John Duncumb, rector of Abbey Dore, vicar of Mansel Lacy, and a magistrate for Herefordshire. Under the patron- age of Charles duke of Norfolk, who was at that time possessed of the Scudamore estates, at Home Lacy, &c., Mr. Duncumb undertook to com- pile the history of the county of Here- ford, of which the first volume was published in 1804, and the first part of a second volume in 1812; but it

DEATHS.—SEPTEMBER.

was left imperfect, the duke of Norfolk dying in 1815, and the Scudamore property being sold. Mr. Duncumb also drew up an Agricultural Report for the county of Hereford, which was published in 1804.

— At the Royal Arsenal, Woolwich, major gen. sir Joseph Maclean, K.C.H. and C.B., Director-general of the field train of the Artillery department, and inspector-general of the brass-foundry establishment in the Arsenal.

20. At Greenwich Hospital, vice-admiral sir Thomas M. Hardy, bart., G.C.B., governor of that establishment. This highly distinguished officer, was the second son of Joseph Hardy, esq., of Portisham, in Dorsetshire. At twelve years of age he entered the Royal Navy as a midshipman. In 1793, he accompanied his captain (A. Hunt) into the *Amphitrite*, and joined lord Hood's fleet in the Mediterranean. In November following, he was made lieutenant in the *Meleager*; which was constantly employed as one of Nelson's squadron, and thus was Hardy brought under the notice of that immortal hero. In 1796, he was transferred to *La Minerve*, in which he was present at the battle of St. Vincent; and to a gallant achievement performed in her boats he owed his promotion to the rank of commander. This was on the 28th of May, 1797, when, in conjunction with lieut. Gage, of the *Lively*, he captured the *Mutine*, a 16 gun brig, from under the walls of Vera Cruz. He was immediately promoted into this brig, which was brought into the service. In her he accompanied Nelson in his pursuit of the French fleets, and was present in the action of the Nile; and, on a vacancy occurring in the *Vanguard*, Nelson appointed him to it instantly. In November 1800, he joined the *Namur*, and afterwards the *St. George*, Nelson's flag ship. Previously to the battle of Copenhagen, he performed a very important service in sounding a part of the channel. Though in constant attendance on Nelson, the *St. George* was not engaged in the attack, as she drew too much water. After commanding successively the *Iris* and *Amphion*, in July 1803, captain Hardy joined the *Victory* with Nelson, whom he never

afterwards quitted. It is not necessary here to repeat the memorable particulars of the battle of Trafalgar, and the hero's death-bed. The *Victory* returned home with Nelson's body, and at the funeral, captain Hardy bore the banner of emblems, immediately before the relations of the deceased. In the following month, by patent dated Feb 1806, he was created a baronet. From this period to the year 1824, sir Thomas Hardy continued, with the exception of three years, engaged in active duty in the West Indies and on the North and South American stations. In Dec. 1826, he hoisted his flag on board the *Wellesley*, and carried to Lisbon the expedition sent by Mr. Canning; and in October 1827, his flag was hauled down never to be again displayed on the sea. His service amounted in all to thirty-six years, and he had been witness to the capture of fifty-seven line-of-battle ships of various nations. In November 1830, he was appointed a lord of the Admiralty; and, on a vacancy occurring in the governorship of Greenwich Hospital, by the death of sir Richard Keats in 1834, that appointment was conferred on sir Thomas, although his talents were much in requisition at the Admiralty. This office he retained to the time of his decease, and was honourably buried in the mausoleum of the Royal Hospital, Sept. 28th. Sir Thomas Hardy married in 1807, Louisa Emily, dau. of Adm. the hon. sir George Cranfield Berkeley, G.C.B., and by that lady he had issue three daughters.

— At Hayes, in his 97th year, John Mumford, who, when a boy, was attendant on admiral Byng, for some time previous to his execution, and laid the cushion for him to kneel on on that occasion. He was afterwards groom to the great lord Chatham, at Hayes Place. Some anecdotes, connected with both situations, may be found in the *Mirror* for Oct. 13, 1833. For the last sixty-three years he had resided on Hayes Common, of which parish he was a native.

23. At Newcastle, in the 82d year of his age, gen. Terrott, of the Royal Artillery. He served his country faithfully for nearly fifty years in Europe, Asia, and America.

— At Bath, aged 75, Philip Barneby,

DEATHS.—OCTOBER.

esq., formerly receiver-general for the county of Hereford, and late of the College Precincts, Worcester.

— At her house, in Queen's-square, Bath, aged 81, Mary Elizabeth, relict of the late rev. Martin Stafford Smith, rector of Fladbury, Worcestershire.

24. At Warwick, aged 73, Mary Ann, relict of Michael Corbett, esq., of Admington House, Warwick.

— At Stanford Court, Worcestershire, aged 66, sir Thomas Edward Winnington, the third baronet of that place (1755).

25. Suddenly, at his villa, near Watford, in the 72d year of his age, the right hon. sir John Vaughan, knt., one of the judges of the court of Common Pleas, and a privy councillor, D.C.L., &c. &c. Sir John Vaughan was one of the sons of the late Dr. Vaughan of Leicester, an eminent physician there, and brother of sir Henry Halford, bart., president of the Royal college of Physicians; of the late very rev. Dr. Peter Vaughan, dean of Chester, and warden of Merton college, Oxford; of sir Charles Vaughan, many years minister from this country to the United States of America, a privy councillor; and of the late rev. Edward Vaughan, vicar of St. Martin's, Leicester, author of several valuable publications on religious subjects. Sir J. Vaughan was educated at Rugby school, and at Queen's college, Oxford. He was called to the bar at Lincoln's-inn, 1791; and soon distinguished himself on the Midland circuit. He was made recorder of Leicester, 1798; and entered the court of Common Pleas as a serjeant, 1799. He became a leader there at the time of the highest fame of serjeants Sheppard, Best, and Lens; retained his lead with serjeants Copley and Wilde; and maintained his position until he was advanced to the bench. In 1816, he was appointed solicitor-general to queen Charlotte; shortly after, a king's serjeant, and subsequently, in the same year, the queen's attorney-general. In 1827, he was made a baron of the exchequer; and in 1834, one of the judges of the Common Pleas, and a privy councillor. Mr. Justice Vaughan married, first, in 1803, the hon. Augusta St. John, second daughter of Henry, twelfth lord St. John of Bletsoe. She died in 1813, a few days after giving birth to her

seventh child. He married, secondly, in 1833, Louisa, daughter of sir W. C. Boughton Rous, bart., widow of St. Andrew, thirteenth lord St. John, and mother of the present lord.

26. At his seat, Charlton Park, Gloucestershire, in his 67th year, sir William Russell, bart., M.D. F.R.S., late of York-street, Portman-square.

— At Richmond Hill, aged 74, the right hon. Richard Edgcumbe, second earl of Mount-Edgcumbe (1780), viscount Mount-Edgcumbe and Valletort (1781), and third baron Edgcumbe, of Mount-Edgcumbe, county of Devon (1742); a privy councillor, lord-lieut., vice-admiral, and custos rotulorum of the county of Cornwall, &c. &c. His lordship was the only child of George, the first earl Mount-Edgcumbe, by Emma, only child of the most rev. Dr. John Gilbert, archbishop of York. As viscount Valletort, he was returned to parliament for the borough of Pewey, in 1786, which he continued to represent until his accession to the peerage, in 1795. His lordship usually voted with the Tories, and in opposition to the reform of parliament. The earl married, in 1789, lady Sophia Hobart, third daughter of John, second earl of Buckinghamshire, by whom he had several children.

27. At Witton Gilbert, near Durham, aged 87, the rev. Richard Richardson, D.D., chancellor of St. Paul's Cathedral, precentor of St. David's, rector of Brancepeth, Durham, and for fifty-nine years perpetual curate of Witton Gilbert.

28. At Stoke Newington, William Beetham, esq., F.R.S., a magistrate and deputy-lieutenant of Middlesex.

— At Chalons sur Saone, on his way to Nice, sir James FitzGerald, of Wolseley Hall, county of Stafford, and Castle Isben, county of Cork, the seventh baronet (1644).

30. At Tripoli, in his 32d year, Charles Thornhill Warrington, esq., late of 11th Dragoons, third son of Hanmer Warrington, esq., her majesty's agent and consul-general at Tripoli.

30. At Broomhead Hall, near Sheffield, aged 52, James Rimington, esq., M.A., barrister-at-law, one of her majesty's justices of the peace, and a deputy-lieut. for the West Riding of Yorkshire.

DEATHS.—OCTOBER.

— At Leamington, in her 36th year, the hon. Charlotte, wife of Gibbs Crawford Antrobus, esq., of Eaton Hall, Cheshire, sister to lord Crofton. She was the second daughter of the hon. sir Edward Crofton, bart., by lady Charlotte Stewart, sixth dau. of John, seventh earl of Galloway; was married in 1832, and raised to the rank of a baron's daughter, with her brothers and sisters, in July 1837.

Lately. At Warborough, Oxfordshire, aged 79, Mrs. Mary White, late of Selborne, Hants, niece of the late rev. Gilbert White.

— At Mile End, aged 74, Peter Bacon, esq., a gentleman who had acquired a large fortune from the Stock Exchange, part of which he has munificently bestowed in the promotion of education, by bequeathing 10,000*l.* East India stock, (of the present value of 25,000*l.*) to University college, London, after the death of his widow.

OCTOBER.

1. In Camden Town, aged 42, Mr. Joseph Goodyear, historical engraver. He was a native of Birmingham; and, for some years previously to his removal to the metropolis, employed in the engraving-room of Mr. Josiah Allen, in that place. His professional talents are generally known. His last great work was the magnificent plate of "The Greek Fugitives," in Finden's "Royal Gallery of British Art," lately published; the intense labour attendant upon which materially hastened his dissolution.

3. At his house, at Worthing, aged 73, Mr. Harry Phillips, of New Bond-street, and of Brandenburg cottage, Hammersmith, the well-known auctioneer.

4. At Rise, Mary, the wife of Richard Bethell, esq., M.P. for the East Riding.

— At Clapham, aged 81, George Scholey, esq., of Clapham Common and Hutton Hall, Essex, for thirty-four years an alderman of London for the ward of Dowgate.

5. Aged 83, the rev. Richard Constable, prebendary of Chichester, vicar of Cowfold and Hailsham, Sussex.

— At Brighton, aged 68, Robert George Clarke, esq., of Parliament-street, Westminster, printer of the Royal Gazette, and formerly editor of the Sun newspaper (up to the year 1811); a man of intelligence, judgment, and integrity.

— At Milford House, on her fourteenth birth-day, Henrietta Catherine Elizabeth, eldest daughter of Joseph Chamberlayne Chamberlayne, esq., of Mangersbury House, Gloucestershire.

— In Berners-street, aged 82, Ann Agnes, widow of John Jarvis, esq., of Darlaston Hall, Hale, Staffordshire.

— At his seat, Stanley Hall, near Bridgnorth, county of Salop, aged 46, sir Thomas John Tyrwhitt Jones, the second baronet (1808).

6. At the Tower, aged 52, Elizabeth, wife of S. Thomas, esq., of the ordinance department.

— At St. Leonard's, near Windsor, aged 18, Harry Charles Lambton, third son of colonel the hon. Henry F. C. Cavendish.

7. At Naples, aged 66, the right hon. John Thomas Barnwall, fifteenth baron Trimlestown, county of Meath (1461); M.R.I.A.

— Mr. Thomas Yeates, author of the Hebrew and Syriac grammars, &c. &c. This learned and laborious person was the son of Mr. John Yeates, who carried on the business of a turner, on Snow-hill, and was born in 1768. From a very early period he showed a remarkable fondness for learning, which being perceived by his father, he was suffered to pursue his own course of study. After becoming acquainted with the Latin language, he commenced the study of the Hebrew, to which he devoted his days and nights. But politics appear at this time to have shared his attention, and in 1782, we find him secretary to the Society for promoting Constitutional Information; and in lord Teignmouth's Life of sir Wm. Jones, may be seen two letters from Mr. Jones to Mr. Yeates on the election of the former for a member of that society. Latterly he took no part in politics, perhaps disgusted, like many others, with the enormities of the French revolution. In 1800, or thereabouts, he resolved to undertake a new translation of the New Testament in the genuine Biblical Hebrew; and forwarded specimens to several learned

DEATHS.—OCTOBER.

persons at home and abroad. Dr. White being about that time chosen to the regius professorship of Hebrew at Oxford, invited him there, and procured him a clerkship at All Souls' college. In 1804, Mr. Yeates had completed the four Gospels, and was preparing for the remaining parts of the New Testament; but his means and resources were very inadequate, and other engagements would not suffer him to proceed wholly with it. He nevertheless kept his object full in view. On the arrival of Dr. Claudius Buchanan from India, he was recommended to that gentleman by Dr. White, as a fit person to examine his collection of MSS., some of which he collated, and others he transcribed. From these labours, which extended to the Æthiopic and Syriac languages, he came to the conclusion that the Syrian churches in the East had the same Scriptures as we have; and that the "substantial and common agreement of their sacred Scriptures with ours, ought to argue most convincingly the pure conservation of the divine volume." Mr. Yeates for some time lent his assistance to the London Society for promoting Christianity amongst the Jews. He translated a large Hebrew catechism into English for the use of English Jews, and some tracts commendatory of Christianity. After his connection with the society had ceased, the edition of the New Testament on a larger scale having been taken up by the British and Foreign Bible Society, Dr. Buchanan took upon himself the office of editor, and engaged Mr. Yeates to superintend the press, which he continued to do until the demise of his friend and patron. He also occasionally employed himself in abridging Schaaf's Syriac Lexicon, and other learned projects. After the death of Dr. Buchanan, Dr. Burgess, bishop of St David's, obtained for Mr. Yeates the temporary secretaryship of the Royal Society of Literature; and in 1823, the same worthy prelate introduced him to the trustees of the British Museum, where he continued till his death as assistant in the printed book department. It is painful to add, that his last days were embittered by pecuniary distress, arising from his inability to discharge a bookseller's bill for the printing of

some astronomical tables. The following is a list of Mr. Yeates's principal works: A Navigation Chart (date not known); Collation of an Indian Copy of the Pentateuch, 1812. 4to.; India Church History, 8vo. London, 1818; Hebrew Grammar, 1812, (and numerous subsequent editions), royal 8vo.; Syriac Grammar, 1819. 8vo.; Remarks on Bible Chronology, 8vo. London, 1830; Observations on the Expatriation of the Jews, and the probable event of their restoration to that country, with some remarks on the Shekel, 12mo. London; A Dissertation on the Antiquity, Origin, and Design of the Pyramids, 1833. 4to.; Remarks on the History of Ancient Egypt. 8vo. 1835.

— At Pitferran, county of Nife, aged 74, sir Peter Halliell, a baronet of Nova Scotia (1697), admiral of the Blue.

— At Ashby-de-la-Zouche, the right hon. Anne, dowager viscountess Taworth, widow of William, late lord Taworth, the only son of Washington, present earl Ferrers. She was the daughter of Richard Weston, esq.

8. At his seat, Belmont, near Hereford, aged 92, the rev. Richard Prosser, D.D., a prebendary of Hereford, and late archdeacon of Durham.

10. In Park-square, the right hon. Cornelia-Jacoba, dowager lady Radstock, widow of the late admiral lord Radstock.

— At Kurnaul, aged 28, Henry Brougham, esq., 4th Cavalry, nephew to lord Brougham.

11. At Mount Vernon, near Douglas, Isle of Man, Helen Wemyss Watson, relict of Alexander Watson, M. D., and only sister of major-gen. sir John Sinclair, bart.

12. Mr. William Kinnaird, architect, district surveyor of St. George's, Bloomsbury, and St. Giles's; editor of the new edition of Stewart's Athens, &c.

12. At Tilgate, aged 37, Margaret-Ellen, widow of Gilbert East Jolliffe, esq., and only surviving daughter of the late sir Edward Banks, Knight.

15. In her 36th year, the most hon. Frances-Mary marchioness of Salisbury. Her ladyship was the only daughter and heiress of Bamber Gascoigne, esq., and was married to the marquess of Salisbury on the 2d of

DEATHS.—OCTOBER.

February, 1821, when his lordship assumed the name of Gascoigne Cecil by sign manual.

15. At Southampton, aged 70, sir Samuel Warren, rear-admiral of the White, knight, C. B. and K. C. H.

16. At his house in Portland-place, aged 75, major-general sir William Blackburne, of the East India Company's Madras establishment.

— Suddenly at Paris, Margaret Penelope, wife of sir Hugh-Hume Campbell, of Marchmont, bart., M. P. for the county of Berwick.

16. In Portland-place, aged 67, the hon. Charlotte Gosling, relict of William Gosling, esq., sister of lord Walsingham. She was the daughter of Thomas the second lord, by the hon. Augusta-Georgiana-Elizabeth Irby, only daughter of William first lord Boston.

— At Great Baddow, Essex, aged 70, sir Nicholas Trant, K. T. S., formerly a major-general in the Portuguese service. His name frequently occurs in the despatches and memoirs of the Peninsular war.

— At the house of his sister, Mrs. Forbes, Greenwich, aged 46, captain George Silvester Maule, R. A.

17. At Hudders, aged 21, the hon. William Drake Irby, second son of lord Boston, captain in the 1st Dragoon Guards.

18. At his residence, Hull-place, St. John's-wood, Paddington, aged 68, the right hon. George King, third earl of Kingston, county of Roscommon (1765), viscount Kingston of Kingsborough, county of Sligo (1766), and baron Kingston of Rockingham, county of Roscommon (1764) all titles in the peerage of Ireland; baron Kingston of Mitchelstown, county of Cork (1821), in the peerage of the United Kingdom; and a baronet of Ireland (1682); a representative peer of Ireland, and a commissioner of the Irish fisheries.

20. At the Doune of Rothiemurchus, Perthshire, aged 73, the most noble John Russell, sixth duke of Bedford and marquess of Tavistock (1694), tenth earl of Bedford (1550), and baron Russell of Cheneys, county of Bucks (1539), eighth baron Russell of Thornhaugh, county of Northampton (1603), and fifth baron Howland of Streatham, county of Surrey (1695); K. G.; a privy councillor; LL. D.,

VOL. LXXXI.

F. S. A., F. L. S., &c. &c. He was the second son of Francis marquess of Tavistock, by lady Elizabeth Keppel, fifth daughter of William-Anne second earl of Albemarle. He was first returned to parliament, for Tavistock, in 1788, and continued to sit for that borough until his accession to the peerage. On the death of his brother Francis he succeeded to the title. During the Whig administration of 1806-7, his grace was lord lieutenant of Ireland; but that was the only period of his sustaining public office. At Woburn was the largest portion of each year spent up to his death, and it is principally as a country nobleman and landlord that his character is to be admired. In politics he was a consistent "Old Whig," and it was never attempted to be denied that his conduct was conscientious and disinterested. Agriculture materially engaged the first twelve years of his dukedom. To his grace's patriotism the *Quarterly Review*, in the number for Oct. 1839, bears the following testimony, in a review of the life of Telford:—"One of the greatest and most useful works in which Mr. Telford was engaged was the drainage of the great fen districts, and especially of the Bedford Level; and the execution of the Nene Outfall was carried on through the entire patronage of the present duke of Bedford,—a nobleman whose liberality and patriotism will be long remembered by his country—under Mr. Rennie, Mr. Telford, and the present sir John Rennie." About the year 1816 the duke visited Italy, &c., for two years, and formed that splendid collection of statuary and ancient relics which fill the Sculpture Gallery of Woburn Abbey. His grace's patronage of British painters and other artists is well known. In the year 1830, the duke rebuilt, in a very handsome and permanent manner, Covent-garden Market (which belongs to the Russell family), at an expense of 40,000*l*. In the same year he rebuilt, nearly from the foundation, the tower of Woburn church, which had fallen into decay. The chancel was also decorated, and a painted window inserted at the east end. The whole at an expense of 4,000*l*. The duke of Bedford was twice married: first, on the 21st March 1786, to the hon.

2 B

DEATHS.—OCTOBER.

Georgiana-Elizabeth Byng, second daughter of George fourth viscount Torrington, who died in 1801; secondly, in 1803, to lady Georgiana Gordon, fifth daughter of Alexander fourth duke of Gordon, who survives. By his first wife he had issue three sons; and by the duchess Georgiana his grace had seven sons and three daughters.

20. At the manse of Erskine, aged 63, the hon. Margaret Stewart, widow of the rev. Andrew Stewart, minister of Erskine, aunt to lord Blantyre. She was the daughter of Alexander, tenth lord.

21. At Inverary castle, Argyllshire, in his 72d year, the most noble George William Campbell, sixth duke of Argyll, marquess of Lorn and Kintyre, earl of Campbell and Cowal, viscount of Lochow and Glenilla, and baron of Lorn, Inverary, Mull, Morven, and Tirry, in the peerage of Scotland (1701); thirteenth earl of Argyll (1437); lord of Lorn (1470), and lord Campbell (1443); also baron Sundridge, of Combe Bank in Kent (1766), and baron Hamilton, of Hameldon, county of Leicester (1776), in the peerage of Great Britain; a privy councillor, keeper of the great seal of Scotland, heritable master of the royal household in that kingdom, and one of the keepers of its crown and regalia, keeper of Dunstaffnage and Carrick; lord lieutenant, vice admiral of the coast, and hereditary sheriff of Argyllshire; lord Steward of her majesty's household, and an official Trustee of the British Museum. His grace was the second but eldest surviving son of John the fifth duke, by Elizabeth duchess dowager of Hamilton, widow of James sixth duke of Hamilton, and second daughter of John Gunning, esq. In 1790 he was returned to parliament as a member for St. German's in Cornwall; but he did not again sit in the house of commons after the dissolution of that parliament in 1796. On the death of his uterine brother Douglas duke of Hamilton, Aug. 1799, he became a peer of the realm as baron Hamilton of Hameldon (which dignity had been conferred on their mother); and he succeeded to the ancestral dignities of the Campbells, on the death of his father, May 1806. In the management of his large estates, his

grace was liberal and beneficent. From an early period of life he sided with the whig party in politics. He voted in favour of the reform of parliament bill, on the decisive division, the 14th April 1832. He succeeded the marquess of Wellesley as lord steward of the household in 1833, and was sworn a privy councillor; and he again came into office on the restoration of the present ministry in April 1835. His grace married, Nov. 29, 1810, lady Caroline Elizabeth Villiers, daughter of George fourth earl of Jersey, whose former marriage with the marquess of Anglessey had been dissolved by the Scotch courts. The duchess died without issue by the duke of Argyll, in the year 1835. The dignities of the family have devolved on the late duke's only brother, lord John Campbell.

23. At Attercliffe Parsonage, Sophia, wife of the rev. John Blackburn, youngest daughter of the late Charles Rivington, esq., of Waterloo-place.

24. In Suffolk-street, aged 61, colonel Francis Maule, K. H. late of the 88th Infantry, brother to captain George S. Maule, whose death is recorded above.

24. At Southall-park, Middlesex, at an advanced age, sir William Charles Ellis, M. D., late governor of the Hanwell Lunatic Asylum.

26. At his residence in Exeter, aged 74, rear-admiral Francis Godolphin Bond.

27. At Haslar, in his 12th year Cecil, seventh son of sir Edward Chetnam, K. C. H.

Lately. At Belair, Elizabeth, the relict of sir W. Elford, bart. She was the daughter and coheir of Humphrey Hall, of Masodon, county of Devon, esq., by the hon. Elizabeth St. John, daughter of John 10th lord St. John; was married first to colonel Walrod, and became in 1821 the second wife of sir Wm. Elford, who died in 1837.

27. At Westerfield Hall, Suffolk, in his 91st year, the rev. William Betham, rector of Stoke Lacy, Hertfordshire. Mr. Betham was descended from an ancient family residing at Little Strickland in the parish of Merland, Westmoreland. He was a man of vigorous mind, and of considerable acquirements and learning. He was educated at the public school at Bampton, in Westmoreland, was ordained in

DEATHS.—NOVEMBER.

1773, and in early life was chaplain to the duke of Ancaster. He compiled and published in 1795 a folio volume of the Pedigrees of the Sovereigns of the World, which was dedicated by permission to king George the third. He afterwards published the baronetage of England, in five volumes quarto. He also made very considerable collections with a view to a History of the county of Suffolk; his advanced age, however, prevented the completion of that work. He was in 1784 elected master of the endowed school at Stouham Aspull, in Suffolk, which he held till he was presented in 1833 to the rectory of Stoke Lacy, in the diocese of Hereford, when he resigned it. Mr. Betham married, in 1774, Mary, daughter of William Darnant, of Eye, in Suffolk, esq., by whom he had nine sons and six daughters. His eldest son is the present sir William Betham, Ulster king of arms of all Ireland.

31. At his seat, Mucknay, near Ballinallea, aged 66, the hon. and rev. Charles le Poer Trench, D.D., archdeacon of Ardagh. He was the fourth son of William-Power-Kestinge first earl of Chancery, by Anne, eldest dau. of the right hon. Charles Gardiner, and sister to Luke 1st viscount Mountjoy. He died of typhus fever, caught while attending at the sick bed of one of his poor parishioners.

— At Genoa, Harriet Anne, widow of major-general Horace Churchill.

Early. At Melun, France, Elizabeth, widow of sir C. B. Blunt, of Ringmer, Sussex, K.M.T., sister to sir C. R. Blunt, bart.

— At the palace, Armagh, aged 57, the right hon. lord George Thomas Beresford, a privy councillor, custos rotulorum of the county of Waterford, a lieutenant-general in the army, colonel of the 3rd Dragoons, G.C.H., &c., brother to the lord archbishop of Armagh, and uncle to the marquess of Waterford.

— At Great Cumberland-street, Mariann-Barbarina, wife of Thomas Carvick, esq., of Wyke, West Riding of Yorkshire, and Highwood-hill, Middlesex.

— At Sharstead House, Mary, relict of Alured Pincke, esq., in the 100th year of her age, yet in the possession of her faculties.

— At Westminster, aged 61, Simeon Warner Millard, esq., a gentleman of high attainment in various branches of natural philosophy, particularly entomology, conchology, and mineralogy: his cabinet of insects was said to be equal to any private collection in England. Mr. Millard lent much assistance in the present admirable arrangement of the Ashmolean Museum at Oxford.

— In his 90th year, John Meheux, esq., of Hans-place, formerly many years secretary to the Board of Control.

— At Croydon, at an advanced age, Isaac Craig, esq., first cousin of the celebrated circumnavigator, Captain Cook.

— At Louteaux, France, the marchioness de Chabannes, sister of the late lady Radstock and Mrs. Morier.

NOVEMBER.

1. At Islington, aged 85, Mr. William Griffin, formerly of Watford, supposed to be the last survivor of those who accompanied Captain Cook in his third or last voyage of discovery.

2. At Freshford, near Bath, in his 84th year, sir Henry Trollope, admiral of the Red, and G.C.B. Sir Henry Trollope was the second cousin of the late sir John Trollope, of Casewick, county Lincoln, bart., being a son of John Trollope, esq. (grandson of the third baronet) by Anne Guyon. He entered the Royal Navy in 1770, was present at the battles of Lexington and Bunker's-hill, at the siege of Boston, the taking of Rhode Island, the attack of Forts Montgomery and Clinton, and afterwards of Philadelphia and Mud Island. On the commencement of the war with Holland, lieutenant Trollope distinguished himself by his activity, and obtained the rank of commander. In 1781 he accompanied vice-admiral Darby's squadron to the relief of Gibraltar, and on the 4th June following was promoted to the rank of post captain. In 1796, while commanding the *Glatton* of 56 guns, and cruising off Helvoetsluis, he unexpectedly fell into the midst of a French squadron, which was at first mistaken for British. It was found to consist of three large frigates, two smaller, and a cutter; besides another frigate and a large brig, about to join

DEATHS—NOVEMBER.

them to leeward. Nothing daunted at so formidable a force, captain Trollope selected the largest vessel for attack, and was shortly after engaged with one on each side, into both of which the Glatton opened her fire with tremendous effect, and finally put the whole to flight. The merchants of London presented captain Trollope with a piece of plate of the value of 100 guineas, in testimony of the high sense which they entertained of his conduct; and it was understood that the honour of knighthood, afterwards conferred by the king, was intended to have reference especially to this achievement. A picture of the engagement, painted by H. Singleton, was exhibited at the Royal Academy in 1804. In the summer of 1797 captain Trollope removed into the Russell 74; and in October following he was left with a small squadron to watch the Dutch fleet in the Texel, during the absence of admiral Duncan. By the vigilance of captain Trollope, admiral Duncan was immediately apprised of the enemy's sailing. The result of this meeting was the glorious victory of Camperdown. On the 30th of the same month, the king, being anxious to visit his victorious fleet, embarked at Greenwich on board the Royal Yacht, commanded on this occasion by captain Trollope, but, owing to a foul wind, was prevented from proceeding beyond Gravesend. Previously to his landing, his majesty conferred on captain Trollope the honour of knighthood, saying, "I was in hopes to have knighted you on the quarter-deck of the Venerable." Sir Henry was one of the officers who walked in their majesty's procession to St. Paul's, on the day of thanksgiving, 1797; when his majesty particularly introduced him to the queen, saying, "This is sir Henry Trollope; and lord Duncan will never forget that he owes his victory to sir Henry's keeping so good watch on the Dutch fleet, and showing them to him in the day of battle." Sir H. Trollope married, about 1782, Miss Fanny Best; but had no children. The manner of his death will be found detailed in the chronicle of events. He had for the last forty years been subject to the gout, which latterly affected his intellect. His nephew, Mr. Trollope, who

resided with him, having unfortunately one day entrusted him with a pistol, the poor old gentleman retired to his room and blew out his brains.

3. At Lausanne, where he had resided upwards of 40 years, aged 80, George Hankin, Esq., formerly of Stanstead Essex.

6. In Wimpole street, in his 57th year, sir Francis Hastings Doyle.

8. At Torquay, Louisa, wife of George Hart Dyke, esq., the second daughter of the late sir William Lemon, bart., of Carlew, Cornwall.

— At Cheltenham, aged 58, John Bather, esq., recorder of Shrewsbury.

9. In London, Lawrence Reynolds, esq., of Paxton Hall, near St. Neot's, for several years chairman of the Huntingdonshire court of quarter sessions, and an active magistrate of the county.

— At Cork, Mr. Thomas Holt, a gentleman of well-known literary celebrity, whose labours as a teacher have contributed to the accomplishment of many.

9. In his 73d year, the rev. George Turner, B. A., rector of Kettleburg and Monewden, in Suffolk.

9. Aged 75, sir Francis Gordon, of Lismore, Aberdeenshire, bart., of Nova Scotia (1825).

10. At Three Rivers, aged 80, Helen Macdonell, widow of James Mackenzie, esq., a native of Inverness-shire, and daughter of Allan Macdonnell, of Liffle, esq., who emigrated to North America (the Mohawk), with many others of his clan, 1773, and was one of the first settlers of Glengarry, in Upper Canada. He was out with his chief, Glengarry, to whom he was related, in 1743, and was engaged in the battle of Culloden; but at the breaking out of the American war, he joined the royal forces, as lieutenant in the 84th Loyalists, and also held an appointment in the commissariat, until the close of the war, and ended his days in Three Rivers in 1822, at an advanced age.

11. Aged 67, William Gordon, esq., of Aberdour.

— At Awlcombe, the residence of captain C. C. Bailey, aged 80, Charles Hand Courant, esq., a gentleman of high worth and accomplishments, and a descendant of counsellor Hand.

12. At Bagborough, Sandford, aged

DEATHS.—NOVEMBER.

42. Mr. G. Field, inventor of the Sandford plough, and brother to Mr. Daniel Field, the celebrated ploughman.

— At Quebec, aged 73, the hon. Jonathan Sewel, LL. D. of the executive council, and for many years its president, speaker of the legislative council, and late chief justice of the province.

13. At Carmarthen, aged 76, Daniel Lloyd, esq., of Laques, Carmarthen-shire, formerly an eminent solicitor, and one of the six clerks in chancery.

14. At Walsall, in his 85th year, Mr. Charles Downes, of Birmingham, for nearly forty years master of king Edward the Sixth's Grammar School in that town.

15. At Handsworth, Warwickshire, aged 85, William Murdock, esq., the person who first applied coal-gas to the purpose of illumination.

16. In Maddox-street, aged 43, William Urwin Sims, esq., a director of the Bank of England. At an inquest it appeared that he had committed suicide, for which no adequate reason could be assigned.

— Also by suicide, James Slack, esq., of St. Paul's-terrace, Islington, for nearly forty years one of the clerks in the Bank of England.

16. In the Temple, aged 60, Thomas Thompson, esq., barrister-at-law, who committed suicide at his chambers in Harcourt-buildings. Since the extensive fire in Paper-buildings, upon which occasion he nearly lost his life, he was more or less excited. About twelve months since he suffered under delusion that the benchers of the Inner Temple had taken measures to disbar him, as he had practised a deceit upon them, saying that his father was an esquire, whereas he was only a chemist.

19. In Wyndham-street, Bryanstone-square, Mr. John Lander, the brother and companion of Richard Lander in his African expedition of 1830. He was only in his 33d year, and, after an illness of a few days, yielded to a complaint of the chest, originally induced by exposure to the climate of Africa. Mr. Lander held the office of landing waiter in the Custom-house, conferred by lord Goderich as a reward for his enterprise and sufferings.

18. At Ballyleidy House, Downshire, aged 81, the right hon. Hans Blackwood, Baron Dufferin and Claneboye, of Ballyleidy and Killyleigh, county Down (1800), and the fourth baronet (of Ireland, 1763).

— At Cheltenham, in her 83d year, Mrs. Maclean, relict of John Maclean, esq., and eldest surviving daughter of the late sir Allan Maclean, bart.

— At Bath, at a very advanced age, Mrs. Ford, widow of John Ford, esq., and grandmother of lady Eardley Wilmot.

19. At Woodstock, in her 21st year, and four months after her marriage, from a fall while hunting, Henrietta, wife of Thomas A. W. Parker, M. P. for Oxfordshire, and nephew to the earl of Macclesfield.

19. At Erdington, Warwickshire, aged 70, Mr. Joseph Allen, historical and portrait painter.

21. At Orchardleigh Park, Somerset, aged 70, sir Thomas Swymmer Mostyn Champneys, the second and last baronet of that place 1767.

— At Edinburgh, James Hamilton, M.D., formerly, for half a century, professor of midwifery in the University of Edinburgh.

23. At Leamington, Mary-Frances, wife of lieutenant-colonel Dixon, Scotch Fusilier Guards, and niece of sir Robert Wilmot, bart., of Chaddeuden.

24. At Paris, aged 75, Diana-Jane countess of Ranfurly. She was the eldest daughter and co-heir of Edmund-Sexton viscount Pery, uncle to the present earl of Limerick, by his second wife Elizabeth, daughter of John lord Knapton.

25. Near Winkfield, Berkshire, the hon. sir Henry King, K.C.B., a lieutenant-general in the army, and colonel of the 1st. West India regiment; younger brother to the earl of Kingston, whose death is recorded in our present number, and to general the viscount Lorton.

26. At Market Drayton, R. M. Monely, esq., of Market Drayton and Monely Hall, Shropshire.

28. At Brighton, aged 47, Robert Finch Newman, esq., late solicitor to the city of London.

30. At Anglesea villa, near Gosport, aged 78, Mrs. Majendie, relict of the late bishop of Bangor.

— At Brighton, in the 19th year

DEATHS.—DECEMBER.

of her age, the hon. Eleanor Louisa Brougham, only child of lord Brougham. On the 4th of December her body was interred in Lincoln's Inn chapel. This is said to be the only instance on record of the interment of a female in Lincoln's Inn.

— At the house of his niece, Mrs. R. Wynne Williams, in Hatton Garden, aged 83, William Ackroyd, esq., of the Royal Marines, one of the few surviving veterans who had served under Rodney, Hood, Keppel, and Byron. He was a lieutenant in the Fortunatee frigate when his late majesty joined that ship in 1782, but retired from the service at the peace of 1783. In 1834 his majesty met with Mr. Ackroyd, and recognised him in the true spirit of a British sailor, and was graciously pleased to write him a letter, "That he well recollected him to be an active and zealous officer, whose corps was always in the highest order."

— At Wouehrah, Surrey, aged 48, Esther Susannah, second surviving daughter of the late hon. Granville Auson Chetwynd Stapylton.

— At Rome, at an advanced age, Henry Voogd, a celebrated Dutch landscape painter, who was termed the Dutch Claude Lorraine.

— At Kennington-common, aged 56, William Rowsell, esq., late principal comptroller of accounts at the Custom-house.

Lately. Mr. John Neilson, of Nether Commans, Paisley, who bequeathed 18,000*l.* for the establishment of a school for education in that town—the first bequest to any considerable amount left for the benefit of the inhabitants of Paisley.

— At Salford, aged 40, Mr. Matthew Vipond, a celebrated swimmer, whose exploits in the Mersey are well known at Liverpool. In July 1838 he swam from the Rock Point to Run-corn, a distance of twenty-two miles, in five hours and a half, having only a fifteen feet tide with him.

— At Stoke, Nottinghamshire, aged 81, the hon. Esther, widow of sir G. Bromley, bart., and aunt to earl Howe. She was the eldest daughter of Assheton, first viscount Curzon, by his first wife, of the Fenne, county of Flint.

DECEMBER.

3. At Copenhagen, after a short illness, in his 72nd year, Frederick VI. king of Denmark, K.G. King Frederick VI., the son of king Christian VII. and Caroline Matilda, princess of England, was born on the 26th Jan. 1768. He was declared of age as co-regent and president of the Council of State on the 14th April, 1784, succeeded his father as king on the 13th of March, 1808, and was crowned at Fredericksburg, the 31st July, 1815; he had consequently directed affairs for nearly fifty-six years, and reigned thirty-two. Seldom has the life of a king been marked by such a succession of misfortunes as befel that of Frederic VI., and seldom has there been a monarch more loved and honoured by his people. The unhappy events which occurred in his youth, the insanity of his father, the execution of the unfortunate Struensee (under whose care he had been educated), and the banishment of his mother, who died of grief at being separated from her beloved son; all these are known. No less so is the part which he sustained in after years in the defence of his kingdom, when the battle of Copenhagen was added to the records of modern warfare. But it is chiefly as a benefactor to his country that the name of Frederick VI. will be remembered; to him are owing the liberty of the press in Denmark—the emancipation of his subjects from the last remains of feudal authority—the abolition of the slave trade (in which Denmark set the example to the rest of Europe)—the equalization of law and diminution of legal processes; the establishment of schools for general education; the introduction of popular representation, and, finally, the system of order and economy which marked the financial affairs of the kingdom. His character was moreover deserving the highest eulogy for mildness, uprightness, simplicity, and attention to business. His majesty married, July, 1790, his cousin Maria Sophia Frederica, daughter of Charles Landgrave of Hesse Cassel, by his aunt Louisa princess of Denmark. The queen survives him, having had issue only two daughters, of whom Caroline, the elder, was married

DEATHS.—DECEMBER.

In 1899 to her cousin prince Frederick Ferdinand of Denmark; and Wilhelmina, the youngest, in 1828 to prince Frederick Charles Christian, now Crown Prince of Denmark, the nephew of the former. The crown was devolved on the male heir, now Christian VIII. He is cousin-german to the late king, being the son of the crown prince Frederick, who died in 1806.

— In Charles-street, Berkeley-square, aged 83, Mrs. Beadon, relict of the late lord bishop of Bath and Wells.

4. At Eccleshall Castle, Staffordshire, in his 66th year, the right rev. Samuel Butler, D.D. lord bishop of Lichfield. Dr. Butler was born at Kenilworth, in Warwickshire, of highly respectable parents, residing in that village, being the grandson of Mr. William Butler, for many years steward of the estates of lord Hyde and lord Leigh, who died in 1760. He was educated under Dr. James, at Rugby school. In 1792 he was entered at St. John's College, Cambridge. His career at that University was brilliantly successful. He obtained three of sir William Browne's medals, two for Latin, and one for a Greek Ode. In 1793, he was elected to the Craven University scholarship. In 1796, his name appeared in the list of Senior Optimes; and he soon after gained the first of the chancellor's two gold medals, for the best classical scholars of the year. In 1797 and 1798 he carried off the Members' prize, for the best Latin Essays by bachelors of arts. In the former year he was elected Fellow of St. John's College, and in 1798 he accepted the head mastership of the Royal Free Grammar School at Shrewsbury, which under his judicious discipline was gradually raised to a very high rank among similar institutions. About the same time he was selected by the Syndics of the Cambridge University Press to undertake a new edition of *Æschylus*, with the text and notes of Stanley. This arduous task he gradually achieved in four volumes 4to. 1809, 1816. In 1802 Mr. Butler was presented by the earl of Clarendon, to the vicarage of his native place, Kenilworth, and in 1807 by bishop Cornwallis to the prebendal stall of Wolvey, at Lichfield, and in 1822 to the archdea-

conry of Derby. In 1836, he was promoted, on the recommendation of viscount Melbourne, to the episcopal see of Lichfield and Coventry, vacant by the death of the pious bishop Ryder. The archdeaconry of Coventry being subsequently severed from his diocese, and annexed to that of Worcester, in the same year; Dr. Butler afterwards retained the single title of bishop of Lichfield. From the time he was raised to the episcopate to his death he knew no day of health. Yet this was perhaps the noblest part of his life; for his patient uncomplaining submission to the hand of God was an example to all around him. Dr. Butler married, in 1798, Harriet, fifth daughter of the rev. East Apthorp, D.D., vicar of Croydon, and rector of St. Mary-le-Bow. By that lady he left a son and two daughters. Besides the edition of *Æschylus* already noticed, bishop Butler published the following works: *M. Musuri Carmen in Platonem*, Is. Casauboni in *Josephum Scaligerum Ode. Accedunt Poemata et Exercitationes utriusque Lingue*. 1797. 8vo. *The Use and Abuse of Reason in Matters of Faith*. 1805. 12mo. *A Sketch of Modern and Ancient Geography, for the use of Schools*. 8vo. Shrewsbury, 1813. *A Praxis on the Latin Prepositions*, being an attempt to illustrate their origin, power, and signification, in the way of exercise. 8vo. 1823, and three subsequent editions. *Charlemagne*, a poem by Lucien Buonaparte, translated by the rev. Dr. Butler and the rev. F. Hodgson. He left a large and very curious library, particularly an unrivalled collection of the *Alpine Press*, and Greek and Latin MSS. which, it is hoped, will go to the British Museum.

5. At Falsbaston, Warwickshire, the rev. John George Breay, minister of Christ church, Birmingham, and a prebendary of Lichfield.

— At Funtington, near Chichester, in his 87th year, general sir James Duff, knt., colonel of the 50th regiment of Foot; the oldest general officer in the army.

— At Bedgbury Park, Kent, the seat of lord viscount Beresford, Henry Philip Hope, esq., of Arklow House. Like his brother, the late Thomas Hope, esq., he was remarkable for his highly-cultivated mind, and his just

DEATHS.—DECEMBER.

and elegant taste in the fine arts. In his youth he had visited every part of Europe, and various portions of Asia, particularly Turkey. He was conversant with and spoke seven different languages, and maintained an extensive correspondence with learned men in all parts of Europe. He had formed one of the most perfect collections of diamonds and precious stones that has, perhaps, been ever possessed by a private individual: it is valued at 150,000*l*. A few years ago he inherited, upon the death of a relative, a large fortune, which he divided at once with his nephews. He was a principal contributor to all the public charities of the metropolis; and distributed annually, in private charity many thousands.

6. At his house in Upper Berkeley-street, major-general sir Alexander Caldwell, G.C.B., senior officer of the Bengal Artillery.

7. At Shotover House, Oxfordshire, after a few days' illness, in his 80th year, Thomas Shutz, esq., for many years a deputy lieut. of that county. Mr. Shutz was also a baron of the holy Roman Empire, by the title of baron Sinolt, otherwise Schutz, and the last male branch of the family of Schutz settled in England. His grandfather, Augustus Schatz, accompanied George II. from Germany, and held the office of master of the robes and privy purse to that sovereign.

— At Exeter, Margaret, wife of lieut.-gen. sir W. Paterson, K.C.B.

— At Oxford, after a protracted illness, aged, 19, Richard, seventh son of the lord bishop of Oxford and lady Harriott Bagot.

8. At Cheltenham, aged 73, John Aylmer, esq., brother of the late sir Fenton Aylmer, bart.

9. At Edinburgh, in her 92d year, Miss Innes, of Stow. The fortune to which she succeeded, on the death of her brother, the late Gilbert Innes, esq., about five years ago, was estimated at not less than a million sterling, and as she lived in a very moderate and unostentatious manner, it was considerably increased. Her charities, however, were numerous and unostentatious. The great bulk of the fortune, which is the largest, we believe, ever gained by one individual in Scotland, was the acquisition of Mr. Innes himself, as a banker. Her heir-at-law is

said to be William Mitchell, esq., of Parson's Green.

10. At Ainkworth rectory, Yorkshire, aged 76, the rev. William Robert Hay, M.A., rector of that parish, vicar of Rchdale, and a pretendary of York. Mr. Hay was the third and youngest son of the hon. Edward Hay, sometime governor of Barbadoes, by Mary, daughter of Peter Flower, merchant of London. His father was the fourth son of George Henry seventh earl of Kinnoul, by lady Abigail, Harley, daughter of the last treasurer of Oxford; and a younger brother to Robert lord archbishop of York.

11. At Paigot, in his 80th year, Thomas Rennell, esq., late of the Bank of England.

13. Aged 76, William Comerford Clarkson, esq., of Doctors' Commons.

15. At his seat, Leyton, in Essex, in the 86th year of his age, Lewis Charles Daubuz, esq.

— At Scruton Hall, Harriet, relict of the late colonel Foster Lechmere Copre.

— At Aberdeen, (his native city), captain Alexander Gerard, of the East India Company's military service, F.G.S. The scientific labours and travels of this gentleman, made in conjunction with his brother, the late Dr. James Gilbert Gerard, well entitle him to a record amongst those who have been eminent in advancing the interests of this country in her Eastern possessions. Captain Gerard went to India at the early age of sixteen, and was not long afterwards sent by sir David Ochterlony, to survey Malacca, which he executed with great accuracy, mostly at mid-day under a burning sun. He was afterwards appointed to many of the surveys which were deemed difficult and important, which led to his residing many years in the then almost unknown district of Chinese Tartary, and amongst the mountains of the Himalaya. He traversed these gigantic mountains in paths before untrodden by Europeans, and reached heights previously deemed quite inaccessible. At one part he had ascended above 20,000 feet, and by ways steeper than it had been deemed possible to climb for any distance together. In these excursions he endured, as may be supposed, extreme vicissitudes of heat, cold, hunger, and de-

DEATHS.—DECEMBER.

privations of every description, and it was not until his health had been completely sacrificed, and a state of extreme debility had rendered impossible the continuance of his labours, that he was persuaded to abandon them and return to England: Captain Gerard was well known in India as a scientific traveller. While exploring and surveying, he made patient researches into the customs and antiquities of the tribes he fell in with, and into the geology and natural history of these sublime regions. Captain Gerard appears not to have taken all the means that might have been desired, to place before the public the results of his accurate observations, though many occasional notices and papers from his pen have appeared in India; and some in this country. One larger work has, however, just been published, entitled "Narrative of a Journey made by sir William Lloyd and capt. Gerard, with an Account of an attempt to penetrate by Bakhur to Gortoo and the lake Manasaroura." It is understood that capt. Gerard has left a large quantity of manuscript papers, from which some further selections may probably be made for publication.

16. At Powderham Castle, aged 62, the right hon. Harriett, countess of Devon. She was the daughter of the late sir Lucas Pepys, bart., M.D., and Jane, countess of Rothes. She left issue three sons.

— At Rickmansworth, aged 88, Francis Const, esq., formerly chairman of the Middlesex and Westminster sessions. Mr. Const was called to the bar at the Middle Temple, in 1783. He was in his youth much attached to the drama and its professors, and was the author of some prologues and epilogues. Henderson, John Kemble, Stephen Storace, Twiss, Porson, and Dr. Burney, Fred. Reynolds, Thomas Morton, Sheridan, and Harris, were his convivial companions and friends. He will be remembered, however, as the editor of several editions of "Bott's Poor Laws," and as chairman of the Middlesex magistrates and the Westminster sessions. The latter situation Mr. Const held up to his death; the former he resigned some years ago.

17. At Deny, N.B., Mr. William Cuthell, student of divinity, and formerly one of the assistant masters of

the Collegiate school, in Leicester. To an intellect of the first order, he united an unassuming simplicity and gentle piety. He left the college of Glasgow with the highest honours.

— At Munich, aged 48, the right hon. Edward viscount Lascelles, eldest son of the earl of Harewood.

19. In her 18th year, Charlotte, eldest daughter of the hon. and rev. F. Bertie, rector of Albury.

23. At Boulogne sur Mer, aged 61, lady Emily Wellesley. She was eldest daughter of Charles, first earl Cadogan, by his second wife, Mary, eldest dau. of Charles Churchill, esq., and was married in 1802, to the hon. and rev. Gerald Valerian Wellesley, D.D., prebendary of Durham, younger brother of the duke of Wellington.

— At Tunbridge Wells, aged 63, Robert Belt, esq., of the Inner Temple, barrister-at-law, and of Bossall House, near York. The family of Belt, is one of the most ancient now existing in the county of York. It is supposed to have come originally from Lombardy, but can be traced in Yorkshire, as far back as 1397. Robert Belt, esq., was the eldest son of Robert Belt, esq., of Bossall, (many years clerk in the court of king's bench.) He was called to the bar at the Inner Temple, in 1802; and practised some years as an equity draftsman, but made little progress in his profession. His knowledge of the law was, however, evinced by some useful publications, particularly, "A Supplement to the Reports in Chancery of Francis Vesey, senior, esq." Lord Chancellor Eldon appointed Mr. Belt a commissioner of bankrupts, an office he held till the remodelling of that court in 1831. Mr. Belt was twice married, and left a numerous family.

24. In Great George-street, Sarah, wife of Charles Lushington, esq., M.P. for Ashburton.

— At Mansfield, at a very advanced age, the rev. Robert Wood, D.D., for more than thirty years chaplain of the county gaol, and for more than forty years, first usher, and afterwards head master of the Nottingham free grammar school.

— At Eastbourne, Sussex, in his 73rd year, Davies Gilbert, esq., D.C.L., V.P.R.S. President of the Geological

DEATHS.—DECEMBER.

society of Cornwall, F.S.A., F.I.S., M.R.I.A. Hon. M.R.S.I., F.G.S., &c. &c. The name of the family to which Mr. Gilbert paternally belonged was Giddy, one of great antiquity in the county of Cornwall; and through his mother, Mr. D. Giddy was the eldest heir-general of the ancient barony of Sandys of the Vine. He was admitted as a gentleman commoner of Pembroke college, in 1785. After quitting college, his time was not dissipated in idleness or pleasure. His principal delight lay in the company of literary men, and he was elected a fellow of the Royal Society, in 1791. Beside this, his eager thirst for knowledge led him to join the Linnæan Society; and he was one of the most active promoters of the institution for the cultivation of geology and mineralogy in his native county, founded by Dr. Paris, at Penzance, in 1814, and of which he continued president from its foundation to his decease. Mr. Giddy served the office of high sheriff of Cornwall, in 1792. In 1804, he was elected to parliament for the borough of Helston; and, at the next election, in 1806, he was returned for Bodmin, which place he continued to represent till 1828. As a senator, Mr. Gilbert was most assiduous, and was perhaps unequalled for his services on committees. He devoted to public business nearly the whole of his time, and was very remarkable for the brief period which he spent in rest. The numerous parliamentary investigations (particularly those connected with the arts and sciences) in which he took a prominent part, will form lasting memorials of his profound learning and indefatigable perseverance; and the application of his knowledge to practical purposes, was attested by the active interest he took in most of our great national works. In 1811, when the public mind became greatly agitated by the alleged depreciation of bank-notes, Mr. Giddy printed an argumentative tract, entitled, "A Plain Statement of the Bullion Question;" the object of which was to allay the popular ferment. In 1808, Mr. Giddy married Mary Anne, only daughter and heiress of Thomas Gilbert, esq., of Eastbourne, in Sussex; and took the name and arms of Gilbert only, pursuant to royal sign manual, in

1817. On the death of sir Joseph Banks, in 1820, when sir Humphry Davy was elected president of the Royal Society, his friend Mr. Gilbert accepted the office of treasurer. Ill health having obliged sir Humphry to quit England, early in 1827, Mr. Gilbert took the chair at nearly every meeting of that society; and when a continuance of the same indisposition induced sir Humphry to retire, Mr. Gilbert was chosen president, to the great satisfaction of the body at large, and especially of the more scientific members. However, after the experience of three seasons, the uneasiness which he felt in the office, arising from various causes, induced him to retire, in Nov. 1831. He continued a vice-president, and still occasionally presided at the meetings of the society. Mr. Gilbert was elected a fellow of the Society of Antiquaries, in 1820, and was a most liberal promoter of historical and antiquarian researches. He was himself the editor of several curious antiquarian and topographical tracts, chiefly relating to his native county. But his last and most important contribution of this nature, was his edition of the previously imperfectly published History of the County, by Hals. To this work, Mr. Gilbert added something under every place, and occasionally introduced some highly interesting remarks on the family history and biography of the most eminent Cornish men, his contemporaries especially. In the Philosophical Transactions there are communications from Mr. Gilbert, and the Journal of the Royal Institution contains several of his papers. Mr. Gilbert's marriage already noticed was productive of two sons and four daughters.

26. At Hythe, Kent, aged 24, the hon. Richard William Lambert, (late of the Coldstream Guards), son of the late general earl of Cavan.

28. At Stapleford Hall, near Nottingham, lady Warren, widow of adm. the right hon. sir Borlase Warren, G.C.B. Her ladyship was the youngest daughter of lieut.-general sir John Clavering, by lady Diana West, dau. of John earl Delawarr. Her ladyship is succeeded in her extensive estates by her grandson, lord Vernon.

30. At the house of his brother-in-

DEATHS.—DECEMBER.

law. Mr. Peter De Wint, aged 83, Wilton Hilton, Esq., R.A., keeper of the Royal Academy. Mr. Hilton was a native of Lincoln. In their youth, he and Mr. De Wint were placed with Mr. John Raphael Smith, the assistant engraver and crayon-painter. Young Hilton also diligently attended the schools of the Royal Academy, studied anatomy, and rendered himself completely master of the human figure. The effect of all this preparation was abundantly manifest in his subsequent works, which were distinguished by their correctness as well as by their beauty. Mr. Hilton was both a skilful designer, and a superior colourist. His "Europa," "Amphitrite," and other works, evince this latter quality in an eminent degree. Mr. Hilton, who had previously been made an associate, was elected a Royal Academician, in 1820, when his presentation picture was "Ganymede." He succeeded Mr. Fuseli as keeper of the Royal Academy. One of the principal duties of the keeper is to superintend and direct the students in what is called the Antique Academy; and so satisfactorily did Mr. Hilton perform the functions of his office, that about four years ago, the students subscribed for a handsome piece of plate, and presented it to him as a mark of their respect and affection. His death was occasioned by an asthma, and by the strength of his affections; for he never recovered the loss of a beloved wife, (the daughter of the rev. George Davis Kent, of Lincoln), some years since. His manners were singularly amiable and pleasing; and he has died regretted, respected, and admired, by all who could appreciate mental and moral excellence in union. Mr. Hilton left no children.

31. At Paris, in his 62d year, count Hyacinthe Louis de Quélen, archbishop of Paris, peer of France, commander of the order of the Holy Ghost, and member of the Académie Française. M. de Quélen, descended from an ancient Breton family allied to the dukes d'Aiguillon, was born in Paris 1778, and, being destined for the church, was entered in due time at the celebrated Ecclesiastical Seminary of St. Sulpice, where he greatly distinguished himself by his proficiency

in all branches of classical and theological learning. After having been admitted into holy orders, and into the priesthood, he became attached to cardinal Feuch, and was charged by his eminence with the formation of his ecclesiastical household; on the disgrace of the emperor's uncle he followed him into exile, and refused to accept the place of chaplain to the empress Maria Louisa, which the Abbé de Pradt, archbishop of Mechlin, had obtained for him. Subsequently, however, M. de Quélen returned to Paris, and remained there till the restoration as one of the assistant clergymen of the church of St. Sulpice. On the return of the Bourbons, cardinal de Talleyrand-Perigord, archbishop of Paris, presented him to Louis XVIII., who honoured him with his confidence; and M. de Quélen took part in all the ecclesiastical negotiations that were carried on at that time with the court of Rome concerning various *discordats* for the Gallican church. He was appointed vicar-general of the grand almonry; was then consecrated bishop of Samosata, *in partibus infidelium*, and was ultimately named coadjutor, with the right of succession, to his friend and benefactor cardinal Talleyrand, in the metropolitan see of Paris. Having become archbishop on the death of the cardinal in 1851, M. de Quélen was raised to the peerage, in virtue of his office; and in 1854 was elected a member of the Académie Française, in the room of cardinal de Beausset deceased. In the chamber of peers the archbishop was a warm supporter of the Bourbons, but always preserved his connection and friendship with the distinguished personages of the empire who formed his early friends. At the revolution of 1830 the archbishop of Paris made no secret of his fidelity to his legitimate sovereign, and his disapprobation of the new order of things. As an ecclesiastical peer he was excluded from the upper chamber, and as a clergyman and a leading partisan of the fallen dynasty was chosen by the government and the mob as a peculiar object of persecution. In 1831, at the time of the sack of the church of St. Germain l'Auxerrois, the archiepiscopal palace was assailed with peculiar fury by the populace, encouraged by

DEATHS.—DECEMBER.

the ministry of the day and headed by officers of the National Guards, and various persons of influence with the bourgeoisie of Paris. The ancient and interesting residence of the prelates of this capital, built by bishop Maurice de Sully, on the southern side of the cathedral, was in the course of two days levelled with the ground. The infuriated mob threw all the archbishop's library, all his furniture and valuables, into the Seine that flowed beneath the windows; broke up and stole most of his plate, and abstracted all the money found in the palace. The archbishop had a few days before received 213,000 francs on account of his brother, being the proceeds of the sale of an estate. This sum was taken away by the mob; and the total amount of other property destroyed or lost was estimated at 400,000 francs. It was on this occasion that the people broke into the vestry of Notre Dame, and cut up the splendid vestments of the priests given by Napoleon, together with the emperor's own coronation robe, in order to get at the golden ornaments with which they were studded. The archbishop was too sensible of his own dignity to demand any compensation for his losses from the government or municipality of Paris; and neither the latter body nor the legislature have ever offered him any indemnification. The prelate took up his town residence in the Convent of the Dames du Sacré Cœur, in the Rue de Varennes, and thenceforth spent his time between that place and the country seat of the archbishops, at Conflans, just above Paris. On the breaking out of the cholera in 1832, the zeal of the archbishop for his suffering flock knew no bounds; his comparatively slender means were given all in aid of the sick, and after the cessation of that scourge he instituted a noble foundation for the education and maintenance of the young girls who had been left orphans by this public calamity. The first time of any public recognition of Louis Philippe being made by the archbishop was in 1835, on occasion of the attempt by Fieschi; on that occasion the head of the state went to Notre Dame to return thanks for his escape, and was received at the door of the cathedral by the pre-

late at the head of his clergy. Although subsequently to this period on rather better terms with the new court, the archbishop kept studiously aloof from the Tuileries and the politicians of the day. He baptized the infant son of the duke and duchess of Orleans in 1838, but refused to proceed to christen him, because the court wished the grand duchess of Mecklenburg-Schwerin, who was a protestant, to stand as godmother;—a compliance with which wish would have been impossible, for a Catholic prelate. The last moments of M. de Quélen were worthy of a pious and sincere christian. He performed all the duties enjoined by the rubric of that church of which he was one of the leading dignitaries. The painful crisis of his complaint, (the dropsy) and the tortures of slow suffocation, which generally attend it, he supported with the greatest fortitude; remaining seated in his arm-chair (for he could not bear the horizontal position of a bed), receiving all who came to him, and giving his pastoral benediction to those around him. The archbishop died without any money and without any debts. The expenses of the funeral were defrayed by his brother, a gentleman by no means rich, and other members of his family. The archbishop's body, after lying in state for some days, both at his own residence and at Notre Dame, during which time it was visited by all the clergy, and many thousands of the inhabitants of Paris, was interred with great solemnity in that cathedral on the 9th of January following.

31. At Rome, professor Nibi, the great antiquary. He has left many learned works, but is said to have died extremely poor.

— At Brougham Hall, Westmoreland, in her 87th year, Eleanor, widow of Henry Brougham, esq. (who died in 1810) and mother of lord Brougham. She was the only daughter of the rev. James Syme, D. D., by Mary, sister of William Robertson, D. D., the Scottish historian. She was a lady of considerable talent and of the most amiable disposition.

— Of apoplexy, in his 65th year, Miles Stringer, esq., of Effingham-hill, Surrey, head of the firm of Stringer and Co., tea-dealers, &c.,

DEATHS.—DECEMBER.

Monument-yard. Mr. Stringer arrived at the Bank to execute a transfer of stock in his capacity of one of the directors of the Equitable Assurance Company. Whilst in conversation with a friend he had casually met, he suddenly dropped down dead.

Lately, in Grosvenor-square, lady E. Egerton, youngest daughter of the earl of Wilton.

— At Broom-hill, Shooter's-hill, John Willett Willett, esq., of Merley House, Dorset.

— In Hyde-park-place West, in her 80th year, the right hon. Harriett Anne dowager lady De la Zouche. She was the only daughter and heiress of William Southwell, esq. (uncle of Edward 20th lord de Clifford), and widow of Cecil lord de la Zouche, who died in 1828.

— Etheldred Catharine, wife of lord Charles Spencer Churchill, second son of the duke of Marlborough. She was the second daughter of John Benett, esq., M. P. for South Wilts.

— In Cavendish-square, aged 35, Stephen Love Hammick, M. D., fellow of the Royal College of Physicians, and one of Dr. Radcliffe's Travelling fellows of the University of Oxford, to which he was appointed in 1831. Dr. Hammick was the eldest son of sir Stephen Love Hammick, bart., and entered as Commoner of Christ Church in 1822. In 1838 he published a translation of "Mesterlich's Chemistry."

— In Portland-place, at an advanced

age, Anthony Brough, esq., many years a merchant of London, and an inhabitant of Clapham, Surrey.

— At West Lulworth, aged 55, lieut. Nicholas Gould, R. N., fifth son of the late Nicholas Gould, esq., of Frome House, one of the oldest families in Dorset. He faithfully served his country forty-four years.

— At Blackheath, in his 38th year, John Gordon, esq., of Newton, Aberdeenshire and Pepperingford Park, Sussex.

— At Hastings, aged 52, after a lingering illness of nearly two years, the right hon. Theodosia Spring Rice, lady Monteagle. She was the second daughter of the earl of Limerick, by Mary Alice, only daughter and heiress of Henry Ormsby, and was married to Mr. Spring Rice (lately created lord Monteagle) in 1811.

— In Northumberland-street, aged 69, John Holroyd, esq., formerly owner of Barcombe-place, Sussex. On the 4th of May, 1800, his majesty George III. twice narrowly escaped being shot.—In the morning in Hyde-park, and in the evening, when at Drury-lane theatre, the insane Hatfield fired at his Majesty, but the direction of the ball was turned by Mr. Holroyd, who struck the assassin's arm up; for this act the deceased was offered a pension, which he refused, but retained during the life of his majesty a great amount of royal patronage.

FINANCE ACCOUNTS

CLASS I. PUBLIC INCOME.

II. PUBLIC EXPENDITURE.

III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM.

HEADS OF REVENUE. I	GROSS RECEIPT,			Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.	NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.				
ORDINARY REVENUES.	£.	s.	d.	£.	s.	d.			
Customs	23,210,821	4	7	815,541	11	0	22,395,280	13	6
Excise	15,493,210	16	3	762,889	6	4	14,730,321	7	11
Stamps (including Hackney Coach, and Hawkers and Pedlars' Licences),	7,428,050	17	0	215,523	3	1	7,212,527	14	1
Taxes, under the Management of the Commissioners of Stamps and Taxes	3,005,054	16	11	4,172	19	2	3,000,882	13	9
Post Office	6,401,212	14	3	120,000	13	6	6,281,212	1	9
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	6,750	19	1	..	..	..	6,750	19	1
Crown Lands	388,642	8	2	..	..	..	388,642	3	2
Small Branches of the Hereditary Revenue,	4,575	6	6	..	..	..	4,575	6	6
Surplus Fees of Regulated Public Offices	72,525	1	1	..	..	..	72,525	1	1
TOTALS of Ordinary Revenues	54,979,235	13	10	1,020,021	13	3	53,959,214	0	7
<hr/>									
EXTRAORDINARY RESOURCES.									
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of her Majesty's Forces serving in India, per Act 4 Geo. 4, c. 71	60,000	0	0	..	..	..	60,000	0	0
From the Trustees of the King of the Belgians, the Amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold.	35,000	0	0	..	..	..	35,000	0	0
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	126,853	7	9	..	..	..	126,853	7	9
Money received from the Bank of England, on account of Unclaimed Dividends	6,861	8	4	..	..	..	6,861	8	4
TOTALS of the Public Income of the United Kingdom	55,207,951	9	11	1,020,021	13	3	54,187,930	16	8

FOR THE YEAR 1839.

CLASS IV. UNFUNDED DEBT.

V. PUBLIC FUNDED DEBT.

VI. TRADE AND NAVIGATION.

FOR THE YEAR ENDED 5TH JANUARY, 1839.

TOTAL INCOME, including BALANCES.	TOTAL Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and DEBTS Outstanding on 5th January, 1839.	TOTAL Discharge of the Income.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
22,082,573 0 2½	1,990,927 10 1½	20,846,446 8 2	536,399 1 10½	22,082,573 0 2½
15,226,079 13 3½	1,125,780 19 9½	13,632,171 4 3½	468,147 9 8½	15,226,079 13 3½
7,454,989 4 1½	168,030 18 9	7,050,582 16 4	236,872 9 0½	7,454,989 4 1½
3,062,944 2 1½	254,525 7 2½	3,054,318 19 8	53,466 16 7½	3,062,944 2 1½
2,531,217 16 9	68,670 3 6½	1,560,003 15 6	187,456 17 144	2,531,217 16 9
7,023 7 8½	137 14 3½	6,881 9 8	64 4 2	7,023 7 8½
479,108 4 9½	206,786 17 6	180,000 0 0	92,318 7 8½	479,108 4 9½
4,575 6 6	.. ..	4,575 6 6	.. ..	4,575 6 6
72,525 1 1	.. ..	72,525 1 1	.. ..	72,525 1 1
52,721,029 16 6½	4,042,060 11 2½	47,104,745 0 1½	1,574,224 6 2	52,721,029 16 6½
60,000 0 0	.. ..	60,000 0 0	.. ..	60,000 0 0
35,000 0 0	.. ..	35,000 0 0	.. ..	35,000 0 0
126,853 7 9	.. ..	126,853 7 9	.. ..	126,853 7 9
6,861 8 4	.. ..	6,861 8 4	.. ..	6,861 8 4
52,949,744 12 7½	4,042,060 11 2½	47,333,459 16 2½	1,574,224 6 2	52,949,744 12 7½

PUBLIC EXPENDITURE

Of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt in the Year ended 5th January, 1839.

EXPENDITURE.	—	—
<i>Payments out of the Income in its Progress to the Exchequer.</i>	£. s. d.	£. s. d.
Charges of Collection	3,450,940 12 4½	
Other Payments	591,119 18 10	
Total Payments out of the Income, in its progress to the Exchequer		4,042,060 11 2½
<i>Funded Debt.</i>		
Interest and Management of the Permanent Debt.....	24,355,314 11 3	
Terminable Annuities	4,183,065 9 8	
Total Charge of the Funded Debt, exclusive of £7,496 4s., the Interest on Donations and Bequests	28,539,310 — 11	
<i>Unfunded Debt.</i>		
Interest on Exchequer Bills	740,928 11 7	80,260,238 12 6
Civil List	385,621 4 2	
Annuities and Pensions for Civil, Naval, Military, and Judicial Services, charged by the various Acts of Parliament on the Consolidated Fund	609,544 4 3	
Salaries and Allowances	213,352 1 10	
Diplomatic Salaries and Pensions	182,028 12 8	
Courts of Justice	791,728 3 7½	
Miscellaneous Charges on the Consolidated Fund	222,884 18 9	2,405,159 5 3½
Army	6,815,641 5 2	
Navy	4,520,428 1 7	
Ordnance	1,384,681 — —	
Miscellaneous charges upon the annual Grants of Parliament....	2,792,539 10 11	
Army and Ordnance : Insurrection in Canada	500,000 — —	
		16,013,229 17 8
		<u>51,740,748 6 8</u>

DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND for the Year 1838, have been disposed of; distinguished under their several Heads; to 5th January 1839.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY	4,811,990	0	0	3,175,000	0	0
FORCES	6,322,098	8	1	4,654,436	5	10
ORDNANCE	1,546,951	0	0	863,741	0	0
To defray the Expenses beyond the ordinary Grants for the years 1837-8 and 1838-9, for Army and Ordnance Services, occasioned by the Insurrection in Upper and Lower Canada	500,000	0	0	500,000	0	0
To defray the Charge of the Civil Establishment of the Bahama Islands; to the 31st March 1839	2,993	6	8	1,511	10	4
To defray the Charge of the Civil Establishment of the Bermudas, to the 31st March 1839	4,449	13	4	2,361	8	7
To defray the Charge of the Civil Establishment of Prince Edward's Island; to the 31st March 1839	3,070	0	0	1,567	10	0
To defray the Charges of the Civil Establishments on the Western Coast of Africa; to the 31st March 1839	9,880	15	10	—		
To defray the Expenses of the Ecclesiastical Establishment of the British North American Possessions; to the 31st March 1839	11,790	18	6	—		
To defray the Expense of the Settlement of Western Australia; to the 31st March 1839	6,149	0	6	—		
To defray the Expense of the Establishment, and Pensions of the Indian Department, in Lower and Upper Canada; to the 31st March 1839	19,155	12	0	—		
To defray the Expense of the Civil Establishment of Heligoland; to the 31st March 1839	963	0	10	—		
To defray the Charge of the Civil Establishment of St. Helena, and of Pensions and Allowances to the Civil and Military Officers and Soldiers of the East India Company's late Establishments in that Island; to the 31st March 1839	16,000	0	0	—		
VOL. LXXXI.	2 C					

386 ANNUAL REGISTER, 1839.

SERVICES— <i>continued.</i>	SUMS Voted or Granted.	SUMS Paid.
	£. s. d.	£. s. d.
To defray the Expenses of the Civil Government of Nova Scotia; to the 31st March 1839	4,900 0 0	—
To enable Her Majesty to direct the Payment, for the quarter ending the 5th April 1838, of those Pensions which at the Demise of the Crown were charged upon the Civil List of his late Majesty, or upon the Consolidated Fund, pursuant to an Act of the second and third years of the reign of King William the Fourth	33,500 0 0	33,500 0 0
To defray the Charge of Civil Contingencies, for the year 1838	120,000 0 0	76,671 5 11
To defray the Expense incurred on account of Her Majesty's Coronation	70,000 0 0	69,421 1 10
To defray, to the 31st March 1839, the Expense of Works and Repairs of Public Buildings, and for Furniture, and certain Charges for Lighting and Watching, and for Rates and Taxes, and for the Maintenance and Repairs of Royal Palaces, and Works in the Royal Gardens, heretofore charged upon the Civil List	74,986 0 0	9,000 0 0
To defray the Expense of Works and Repairs at the Harbour of Kingstown; to the 31st March 1839	10,000 0 0	3,000 0 0
To defray the Expense of the Holyhead and Liverpool Roads, and Holyhead and Howth Harbours; to the 31st March 1839	4,144 0 0	4,144 0 0
To defray the Charge of New Buildings at the British Museum; to the 31st March 1839	18,096 0 0	2,000 0 0
To defray, in the year 1838, the Expense of Works required for the National Gallery and Royal Academy	4,378 0 0	4,362 3 8
To defray the Expense of providing Temporary Accommodation for the Houses of Parliament, Committee-rooms, Offices and Temporary Official Residences for the Speaker of the House of Commons and other Officers of that House; to the 31st March 1839	18,394 0 0	12,000 0 0
Towards defraying, in the year 1838, the Expense of erecting the new Houses of Parliament, including the purchase of premises to complete the Site	100,000 0 0	8,607 0 0
To complete the Works now in progress at the General Penitentiary, Millbank	2,450 0 0	—
For the completion and fitting and furnishing the Prison for Juvenile Offenders in the Isle of Wight, and for its Management and Maintenance; for one year	14,000 0 0	4,185 10 7
To defray the Charge of erecting a new Custom House at Dundee, including the purchase of the Site	8,000 0 0	—

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid;		
	£.	s.	d.	£.	s.	d.
To defray the Charge of Salaries and Expenses of the two Houses of Parliament, and of Allowances to Retired Officers of the two Houses; to the 31st March 1839 ...	72,000	0	0	40,787	3	6
To pay the Salaries, Contingent and other Expenses of the Department of Her Majesty's Treasury; to the 31st March 1839 ...	48,600	0	0	33,006	15	2
To pay the Salaries and Expenses of the Office of her Majesty's Secretary of State for the Home Department; to the 31st March, 1839	19,307	0	0	16,035	0	0
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of State for Foreign Affairs, also of the Foreign Messengers attached to the Departments; to the 31st March 1839 ...	63,092	0	0	35,000	0	0
To pay the Salaries and other Expenses in the Department of her Majesty's Secretary of State for the Colonies; to the 31st March 1839 ...	16,745	0	0	13,050	0	0
To pay the Salaries and Expenses in the Department of Her Majesty's most Honourable Privy Council, and Committee of Privy Council for Trade; to the 31st March 1839	25,330	0	0	16,154	7	5
To defray the Charge of the Office of Her Majesty's Paymaster General; to the 31st March 1839 ...	36,784	0	0	30,000	0	0
To pay the Salaries and Contingent Expenses in the Department of the Comptroller General of the Exchequer, and the Paymaster of Civil Services; to the 31st March 1839 ...	14,404	0	0	9,913	15	0
To defray the Charge of the Salaries and Allowances granted to certain Professors in the Universities of Oxford and Cambridge; to 31st March 1839 ..	2,006	0	0	2,006	0	0
To defray the Charge of the Salaries of the Commissioners of the Insolvent Debtors' Court, of their Clerks, and the Contingent Expenses of the Court and Office, and also the Expenses attendant upon their Circuits; to the 31st March 1839 ...	12,500	0	0	7,000	0	0
To defray the Charge of the General Penitentiary at Millbank; to the 31st March 1839 ...	6,000	0	0	—		
To defray the Charge of the Salaries and other expenses of the State Paper Office, the Office for the Custody of Records in the Tower and the Office for the Custody of Records, in the Chapter House, Westminster; to the 31st March 1839 ...	4,213	0	0	1,253	4	0
To defray the Expenses of the Commission for digesting the several Statutes relating to Criminal and other Law ...	5,100	0	0	48	12	7
To defray the Expenses of the Commission appointed to inquire into the Opportunities of						

388 ANNUAL REGISTER, 1839.

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Religious Worship and Means of Religious Instruction, and the Pastoral Superintendence afforded to the People of Scotland ...	4,000	0	0	—		
To defray the Expenses of the Commission for inquiring into the Condition of the unemployed Hand-loom Weavers ...	4,010	0	0	3,700	0	0
To pay Salaries and Expenses incurred by the Ecclesiastical Commissioners for England; to the 31st March, 1839 ...	2,500	0	0	1,000	0	0
To pay to the 31st March, 1839, Salaries and Incidental Expenses for the Commissions appointed on the part of Her Majesty under the Treaties with Foreign Powers for preventing the illegal Traffic in Slaves ...	14,700	0	0	10,000	10	0
To defray to the 31st March, 1839, the Charge of the Salaries of Her Majesty's Consuls-General, Consuls, and Vice-Consuls, and of the Superintendents of Trade at Canton; also of the Contingent Expenses connected with the Public Duties of such Consuls-General, Consuls, and Vice-Consuls, and Superintendents of Trade, at Canton ...	107,993	0	0	68,539	18	8
To defray to the 31st March, 1839, the Charge of the Salaries and Expenses of the Inspectors and Superintendents of Factories, under the Act to regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom ...	9,055	0	0	5,720	0	9
To defray the Salaries and Expenses of the Inspectors of Prisons; to the 31st March, 1839	6,000	0	0	2,467	7	5
To defray the Expenditure of the several Branches of the Mint; to the 31st March, 1839 ...	53,703	0	0	40,000	0	0
To defray the Charge of Allowances and Compensations to Persons formerly employed in the Public Offices or Departments, or in the Public Service; to the 31st March, 1839...	83,212	0	0	56,864	0	0
To enable Her Majesty to grant Relief, to the 31st March, 1839, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from Her Majesty, and who, for Services performed or Losses sustained in the British Service, have special Claims on Her Majesty's justice and liberality ..	9,500	0	0	2,500	0	0
To defray the Expense of the National Vaccine Establishment for the Year 1838 ..	1,850	0	0	1,850	0	0
For the Support of the Institution called "The Refuge for the Destitute," for the Year 1838	3,000	0	0	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics in the Buildings attached to Bethlem Hospital; to the 31st March, 1839 ...	3,073	0	0	—		

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To pay to the 31st March, 1839, the usual Allowances to Protestant Dissenting Ministers in England, Poor French Refugee Clergy, Poor French Refugee Laity, and sundry small charitable and other Allowances to the Poor of Saint Martin's-in-the-Fields and others	4,500	0	0	—		
To defray the Charge of Her Majesty's Foreign and other Secret Services; to the 31st March, 1839	35,900	0	0	27,900	0	0
To defray the Expense of providing Stationery, Printing, and Binding for the several Departments of Government in England, Ireland, and Scotland, and in the Colonies, and for providing Stationery, Binding, Printing Paper, and Printing for the two Houses of Parliament, including the Expense of the Establishment of the Stationery Office; to the 31st March, 1839	197,796	0	0	105,000	0	0
To defray the Expenses of Law Charges; to the 31st March, 1839	13,000	0	0	9,000	0	0
To defray the Expense of providing for the Convict Hulk Establishment at Home and at Bermuda; to the 31st March, 1839 ..	46,690	0	0	—		
To defray the Charge of maintaining Convicts at New South Wales and Van Diemen's Land; to the 31st March, 1839	235,000	0	0	848	12	9
To defray the Expenses of the Support of captured Negroes and liberated Africans, under the Acts for the Abolition of the Slave Trade; to the 31st March, 1839	20,000	0	0	16,000	0	0
For cleaning, binding, repairing, and indexing the Public Records; to the 31st March 1839	5,000	0	0	4,200	0	0
To enable Her Majesty to issue Money for the erection of Schoolhouses, and to provide for the inspection of the Schools already established in Aid of private subscriptions for that purpose, for the Education of the Children of the Poorer Classes in England; to the 31st March 1839	20,000	0	0	—		
To enable Her Majesty to issue Money for the erection of School-houses, in Aid of Private Subscriptions for that purpose, for the Education of the Children of the Poorer Classes in Scotland; to the 31st March, 1839 ..	10,000	0	0	—		
To defray, in the year 1838, the Charge of Salaries and Expenses of the Commissioners for carrying into execution the Poor Law Amendment Act	54,252	0	0	41,250	0	0
To pay the Allowances and Expenses of the Barristers employed in revising Lists of Voters, under the Act to amend the Representation of the People in England and Wales; to the 31st March, 1839	27,000	0	0	27,000	0	0

390 ANNUAL REGISTER, 1839.

SERVICES—continued.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray, to the 31st March, 1839, the Expenses incurred by Sheriffs, formerly paid from Civil Contingencies; also, to make good the Deficiency of the Fees in the Office of the Queen's Remembrancer, in the Exchequer, and to pay the Salaries and ancient Allowances of certain Officers of the Court of Exchequer	10,800	0	0	6,494	8	8
To defray, in the year 1838, certain Charges heretofore paid out of County Rates ...	80,000	0	0	12,198	5	8
To enable Her Majesty to grant Relief to the distressed Poles now in this Country ...	10,000	0	0	8,380	0	0
To enable the Trustees of the British Museum to purchase for that Institution the Collection of Etruscan Antiquities belonging to Signor Campanari	600	0	0	600	0	0
Towards defraying the Expense of Steam Navigation to India, by way of the Red Sea; to the 31st March, 1839	50,000	0	0	31,816	17	6
To defray the Charge of the Salaries of the Governors, Lieutenant-Governors, and others in Her Majesty's West India Colonies; to the 31st March 1839	17,667	0	0	6,000	0	0
To defray to the 31st March 1839, the Charge of Salaries and Allowances to the Special Justices appointed in pursuance of the Act for the Abolition of Slavery throughout the British Colonies	69,950	0	0	—		
To defray in the year 1838, such Expenses as Her Majesty may incur in aiding the Local Legislatures in providing for the Religious and Moral Instruction of the emancipated Negro Population	30,000	0	0	18,565	3	8
For the Salaries of the Agents for Emigration; to the 31st March, 1839	3,871	16	3	2,691	3	1
To defray, in the year 1838, the Charge of the Repair and Maintenance of the Rideau and Ottawa Canals, in Canada	8,600	0	0	—		
To defray, to the 31st March 1839, Law Expenses, Grants to Scottish Universities, and other Charges, formerly paid out of the Hereditary Revenues, and not provided for out of Her Majesty's Civil List, nor out of the Consolidated Fund	63,200	0	0	29,030	9	6
For the Service of the British Museum; for the year ending Lady-day 1839	27,469	0	0	20,601	15	0
To enable the Lord Lieutenant of Ireland to issue Money for the advancement of Education in Ireland; to the 31st March 1839 ...	50,000	0	0	6,162	11	3
To defray the Expense of the Foundling Hospital in Dublin; to the 31st March 1839	12,500	0	0	6,808	3	0
To defray the Expense of the House of Industry in Dublin, the Lunatic Department, and						

SERVICES— <i>continued.</i>	SUMS Voted or Granted.	SUMS Paid.
	£. s. d.	£. s. d.
the Four General Hospitals attached; to the 31st March 1839. ...	20,000 0 0	11,652 0 0
To defray the Charge of the Hibernian Marine Society in Dublin; to 31st March 1839 ...	150 0 0	150 0 0
To defray the Expense of the Female Orphan House, Circular-road, Dublin; to the 31st March 1839 ...	1,000 0 0	700 0 0
To defray the Expense of the Westmoreland Lock Hospital; to the 31st March 1839 ...	2,500 0 0	2,076 3 0
To defray the Expense of the Lying-in Hospital in Dublin; to the 31st March 1839 ...	1,000 0 0	765 19 7
To defray the Expense of Dr. Steven's Hospital in Dublin; to the 31st March 1839 ...	1,500 0 0	1,500 0 0
To defray the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin; to the 31st March 1839 ...	3,800 0 0	2,984 6 3
To defray the Expense of the Hospital for Incurables; to the 31st March 1839 ...	500 0 0	500 0 0
To defray the Charge of the Roman Catholic College in Ireland; to the 31st March 1839 ...	8,928 0 0	6,696 0 0
To defray the Expense of the Royal Irish Academy; to the 31st March 1839 ...	300 0 0	300 0 0
To defray the Expense of the Royal Hibernian Academy; to the 31st March 1839 ...	300 0 0	300 0 0
To defray the Expense of the Royal Dublin Society; to the 31st March 1839 ...	5,300 0 0	3,303 10 0
To defray the Salaries and Expenses of the Commissioners of Charitable Donations and Bequests in Ireland; to the 31st March 1839 ...	700 0 0	532 10 11
To defray the Expense of the Royal Belfast Academical Institution; to the 31st March 1839 ...	1,800 0 0	1,239 1 7
To defray the Expense of repairing and maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland; to the 31st March 1839 ...	13,839 0 0	—
To pay the Salaries and Expenses of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and Her Majesty's Privy Council Office in Ireland, and of Printing for the Public Offices in Ireland; to the 31st March 1839 ...	22,332 0 0	16,601 8 9
To defray the Charge of the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and certain other Officers and Services formerly charged on the civil list in Ireland; to the 31st March 1839 ...	12,394 0 0	10,357 9 7
To defray the Charge of the Office of Paymaster of Civil Services in Ireland; to the 31st March 1839 ...	3,000 0 0	1,594 4 0

SERVICES— <i>continued.</i>	SUMS Voted or Granted.	SUMS Paid.
	£. s. d.	£. s. d.
To defray the Charge for publishing Proclamations and Printing the Statutes in Ireland; to the 31st March, 1839	4,150 0 0	2,589 10 4
To defray the Expense of Non-conforming, Seceding and Protestant Dissenting Ministers in Ireland; to the 31st March 1839 ...	31,719 0 0	15,859 10 0
To defray the Charge of Criminal Prosecutions and other Law Charges in Ireland; to the 31st of March 1839	66,700 0 0	57,883 3 5
Towards defraying the Charge of the Public Offices and Metropolitan Police of Dublin; to the 31st of March 1839	31,357 0 0	22,655 3 2
To defray the Expense of the Board of Public Works in Ireland; to the 31st March 1839	3,206 0 0	2,300 0 0
To defray the Expense of the Townland Survey of Ireland; to the 31st March 1839 ...	7,000 0 0	7,000 0 0
To defray the Expense of the Commission to inquire into the best system of Railways for Ireland to the 31st March 1839 ...	12,700 0 0	9,000 0- 0
	15,726,987 12 0	10,332,472 1 11
To pay off and discharge any Exchequer Bills charged on the Aids or Supplies of the Years 1837 or 1838	11,413,750 0 0	
To pay off and discharge any Exchequer Bills charged on the Aids or Supplies of the year 1838	24,044,550 0 0	
	35,458,300 0 0	23,925,600 0 0
	£ 51,185,287 12 0	34,258,072 1 11

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums Paid to 5th January 1839.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Expenses in the Office of the Commissioners for building additional Churches, per Act 58 Geo. III. c. 45 ...	3,000	0	0	—	—	—
For Interest on Exchequer Bills, charged on the Aids or Supplies ...	641,370	4	11	344,065	0	0
	644,370	4	11	344,065	0	0
				641,370	4	11
TOTAL Services not voted ...				988,435	4	11
AMOUNT of Sums voted ...				51,185,287	12	0
TOTAL Grants and other Services ...				52,173,722	16	11

WAYS AND MEANS

for answering the foregoing Services :

	£.	s.	d.
Sums to be brought from Consolidated Fund, per Act 1 Vict. c. 21 ...	8,000,000	0	0
- - - Ditto - - - 1 & 2 Vict. c. 111 ...	5,570,000	0	0
Duty on Sugar, per Act 1 & 2 Vict. c. 33 ...	3,000,000	0	0
Surplus of Ways and Means, per Act 1 & 2 Vict. c. 111 ...	151,780	7	6
	16,721,780	7	6
Exchequer Bills, voted in Ways and Means, per Act 1 Vic. c. 12 ...	£11,413,750		
- - - Ditto - - - 1 Vict. c. 26 ...	13,000,000		
- - - Ditto - - - 1 & 2 Vict. c. 93 ...	11,044,550		
	35,458,300	0	0
	52,180,080	7	6
Total Grants and other Services not voted ...	52,173,722	16	11
Surplus of Ways and Means ...	6,357	10	7

394 ANNUAL REGISTER, 1839.

PUBLIC OF GREAT BRITAIN AND IRELAND, and the DEBT.

	1. CAPITALS.		2. CAPITALS transferred to the Commissioners.		CAPITALS UNREDEEMED.	
	£.	s. d.	£.	s. d.	£.	s. d.
GREAT BRITAIN.						
Debt due to the South Sea Company	3,662,784	8 6½	-	-	3,662,784	8 6½
Old South Sea Annuities Do.	3,497,870	2 7	-	-	3,497,870	2 7
New South Sea Annuities Do.	2,460,830	2 10	-	-	2,460,830	2 10
South Sea Annuities, 1751 Do.	523,100	0 0	-	-	523,100	0 0
Debt due to the Bank of England Do.	11,015,100	0 0	-	-	11,015,100	0 0
Bank Annuities, created in 1726. Do.	823,636	0 0	1,552	5 0	823,636	13 0
Consolidated Annuities Do.	357,793,205	11 3½	546,740	6 11	357,246,465	4 4½
Reduced Annuities Do.	126,694,980	3 5	841,206	2 8	125,853,774	0 9
Total at £. 3 per cent.	506,474,506	8 7½	1,389,498	14 7	505,085,007	14 0½
Annuities at £. 3½ per cent. 1818.	10,529,678	2 0	1,128	2 2	10,528,549	19 10
Reduced 3½ per cent Annuities	66,238,125	18 11	26,101	14 1	66,212,024	4 10
New 3½ per cent Annuities	145,841,859	0 7	5,803	18 3	145,834,453	7 4
New £. 5 per cent Annuities	427,088	13 4	-	-	427,088	13 4
Total, Great Britain.	729,510,608	8 3½	1,423,534	4 1	728,087,123	19 4½
IN IRELAND.						
Irish Consolidated £. 3 per cent Annuities.	3,155,233	8 4	-	-	3,155,233	8 4
Irish Reduced £. 8 per cent Annuities	120,363	4 0	-	-	120,363	4 0
£. 3½ per cent Debentures and Stock	14,450,260	3 5	-	-	14,450,260	3 5
Reduced £. 3½ per cent Annuities	969,533	7 3	-	-	969,533	7 3
New 3½ per cent Annuities	11,927,745	12 2	-	-	11,927,745	12 2
Debt due to the Bank of Ireland, at £. 4 per cent.	1,615,384	12 4	-	-	1,615,384	12 4
New £. 5 per cent Annuities	6,661	1 0	-	-	6,661	1 0
Debt due to the Bank of Ireland, at £. 6 per cent.	1,015,384	12 4	-	-	1,015,384	12 4
Total, Ireland.	33,260,566	1 7	-	-	33,260,566	1 7
Total, United Kingdom.	762,771,224	5 0½	1,423,534	4 1	761,347,690	0 11½

ABSTRACT.

(*.* Shillings and Pence omitted.)

	CAPITALS.	CAPITALS transferred to the Commissioners	CAPITALS unredeemed.	ANNUAL CHARGE.		
	£.	£.	£.	Due to the Public/Creditor	Management.	TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain ..	729,510,608	1,423,534	728,087,123	27,249,189	158,149	-
Ireland	33,260,566	-	33,260,566	1,178,104	-	-
Total	762,771,224	*1,423,534	761,347,690	28,427,293	158,149	28,585,403

* On account of Donations and Bequests	£.	s. d.
Do. of Stock unclaimed 10 years or upwards	253,016	10 8
Do. of Unclaimed Dividends	278,387	13 5
	892,100	-
	1,423,534	4 1

FUNDED DEBT.

CHARGE thereupon, at the 5th January, 1839.

CHARGE.

		£ IN GREAT BRITAIN.	IN IRELAND.	TOTAL ANNUAL CHARGE.
		£. s. d.	£. s. d.	£. s. d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital	22,364,030 12 7½	1,171,149 8 9	
	Long Annuities, expire 1860	1,294,305 19 11	191 12 3	
	Annuities per 4 Geo. 4, c. 22, do, 1867	585,740 0 0	—	
	Annuities per 10 Geo. 4, c. 24, and 3 Will. 4 c. 14, expire at various periods	1,499,599 4 6	—	
	Life Annuities per 48 Geo. 3, c. 142, 10 Geo. 4, c. 24, and 3 Will. 4, c. 14	851,719 0 6	—	
	Tontines and other Life Annuities per various Acts. } English	19,564 2 1	—	
	Irish ..	34,230 8 7	6,323 7 3	
		27,249,189 8 2½	1,178,164 8 3	
	Management	158,149 10 3½	—	
	Total Annual Charge	27,407,339 7 6	1,178,164 8 3	28,585,503 15 9

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly received by the Commissioners to be applied to the reduction of the said Debt including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

	The Sinking Fund.	Donations and Bequests.
	£. s. d.	£. s. d.
Applicable between		
5th April and 5th July, 1838	—	667 0 8
5th July and 10th October, 1838	—	3,291 7 11
10th October, 1838, and 5th January, 1839	—	496 6 6
5th January and 5th April, 1839	—	3,291 7 11
	£ Nil.	7,746 8 0

UNFUNDED DEBT.

AN Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1839.

	Provided.			Unprovided.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills	24,026,050	-	-	24,026,050	-	-
Sums remaining unpaid charged upon Aids granted by Parliament	-	-	-	5,931,271	3	7
Total Unfunded Debt and Demands outstanding	24,026,050	-	-	29,957,321	3	7
Ways and Means	6,057,823	15	4½			
Surplus	126,552	11	9½			
Deduct the amount of Exchequer Bills paid off out of Ways and Means, Money Grants, but which it is not proposed to replace by the issue of Exchequer Bills...				18,500	-	-			
Surplus of Ways and Means				108,052	11	9½			
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund at 5th January 1839	-	-	-	5,680,674	6	11

TRADE OF THE UNITED KINGDOM.

AN Account of the Value of the Imports into, and of the Exports from, the UNITED KINGDOM of GREAT BRITAIN and IRELAND, during each of the Three Years ending the 5th of January 1839:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom.	VALUE OF EXPORTS from the UNITED KINGDOM.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
1837	£. 57,250,968	£. 85,229,837	£. 12,591,712	£. 97,821,549	£. 53,203,979
1838	54,737,301	72,548,047	13,233,622	85,781,669	42,069,245
1839	61,268,320	92,459,231	12,711,318	105,170,549	50,060,970

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS

AN Account of the Value of the Imports into, and of the Exports from, GREAT BRITAIN, during each of the Three Years ending the 5th of January 1839: calculated at the Official Rates of Valuation, and stated exclusive of the Trade with Ireland:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom exported from Great Britain, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain.	VALUE OF EXPORTS from GREAT BRITAIN.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
1837	£. 55,733,419	£. 84,883,276	£. 12,584,538	£. 97,467,814	£. 52,940,838
1838	53,224,874	72,312,207	13,225,331	85,535,538	41,766,205
1839	59,878,905	92,107,898	12,702,660	104,810,558	49,640,896

NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.—Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1837, 1838, and 1839 respectively.

	Year ending 5th Jan. 1837.		Year ending 5th Jan. 1838.		Year ending 5th Jan. 1839.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	679	86,509	936	131,171	1,089	157,255
Isles Guernsey, Jersey, and Man	30	3,127	69	4,751	58	4,304
British Plantations	441	66,604	510	71,306	343	45,811
TOTAL	1,150	156,240	1,515	207,228	1,490	207,370

Note.—The Account rendered for the Plantations for the year ending 5th January 1838, is now corrected; and as several Returns for that part of the empire are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st of December, in the Years 1836, 1837, and 1838, respectively.

	On 31st Dec. 1836.			On 31st Dec. 1837.			On 31st Dec. 1838.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	19,823	2,312,846	136,136	19,986	2,296,227	129,232	20,300	2,383,484	143,007
Isles of Guernsey, Jersey, & Man.	565	56,003	3,995	600	37,994	4,230	612	37,275	4,350
British Plantations	5,433	442,897	22,506	5,504	437,497	30,044	5,697	469,842	31,236
TOTAL	25,820	2,799,646	170,637	26,037	2,791,018	173,606	26,609	2,890,601	178,583

NAVIGATION OF THE UNITED KINGDOM—continued.

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages,) that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1839.

YEARS ending 5th January.	SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, From Foreign Parts.									
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.			
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	
1837 ..	14,347	2,505,473	137,589	7,131	988,899	53,921	21,478	3,494,372	191,510	
1838 ..	15,155	2,617,166	146,319	7,343	1,005,940	56,778	22,498	3,632,106	203,097	
1839 ..	16,119	2,785,387	154,499	8,679	1,211,666	68,891	24,798	3,997,053	223,390	
	SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, To Foreign Parts.									
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.			
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	
1837 ..	14,207	2,531,577	144,386	7,048	1,036,130	56,069	21,255	3,566,697	200,364	
1838 ..	14,567	2,547,937	148,632	7,461	1,036,738	57,971	22,028	3,583,965	206,603	
1839 ..	15,907	2,876,236	162,763	8,520	1,222,803	68,386	24,427	4,099,039	231,149	

NAVIGATION OF GREAT BRITAIN.

NEW VESSELS BUILT.

	Year ending 5th Jan. 1837.		Year ending 5th Jan. 1838.		Year ending 5th Jan. 1839.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	541	71,489	733	105,318	857	127,096
Scotland	116	13,103	165	22,562	192	27,542
Isle of Guernsey	9	744	12	748	15	1,320
— Jersey	8	683	15	1,632	11	1,560
— Man	13	1,700	42	2,371	34	1,324
British Plantations	441	66,604	510	71,306	343	45,811
TOTAL	1,128	154,323	1,477	203,937	1,450	204,653

VESSELS REGISTERED.

	On the 31st December 1836.		On the 31st December 1837.		On the 31st December 1838.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	14,949	1,859,726	14,998	1,821,994	15,245	1,880,733
Scotland	3,439	324,651	3,244	334,870	3,279	351,223
Isle of Guernsey	87	9,494	90	9,280	98	10,025
— Jersey	235	20,826	245	21,107	241	20,338
— Man	243	6,583	265	6,907	273	6,912
British Plantations	5,432	443,897	5,501	457,497	5,697	469,842
TOTAL	24,185	2,664,177	24,343	2,651,655	24,833	2,739,073
						168,300

LIST OF THE GENERAL ACTS

Passed in the SECOND Session of the THIRTEENTH Parliament of the United Kingdom of Great Britain and Ireland—II. & III. Vict.

II & III VICT.

- I. **A**N Act to amend an Act of the First and Second Year of Her present Majesty for the more effectual Relief of the destitute Poor in *Ireland*.
- II. An Act to apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and thirty-nine.
- III. An Act to authorize the immediate Distribution of a Portion of the Fund applicable to the Relief of Persons entitled to certain Arrears of Tithe Compositions under an Act of the last Session of Parliament, to abolish Compositions for Tithes in *Ireland* and to substitute Rent-charges in lieu thereof; and for other Purposes.
- IV. An Act to alter the Powers of jointuring contained in several Acts for purchasing and providing a Residence and Estates for the Duke of *Wellington*, and to settle certain Articles to go as Heirlooms with the said Estates.
- V. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
- VI. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-nine.
- VII. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
- VIII. An Act for raising the Sum of Thirteen Millions by Exchequer Bills, for the service of the Year One thousand eight hundred and thirty-nine.
- IX. An Act for repealing Part of an Act of the last Session of Parliament, intituled *An Act for suspending until the First Day of August One thousand eight hundred and thirty-nine, and to the End of the then Session of Parliament, the Appointment to certain Dignities and Offices in Cathedral and*
- X. An Act for enabling the Trustees of the *British Museum* to purchase certain Houses and Ground, for the Enlargement of the Museum, and making a suitable Access thereto.
- XI. An Act for the better Protection of Purchasers against Judgments, Crown Debts, Lis pendens, and Fiats in Bankruptcy.
- XII. An Act to amend an Act of the Thirty-ninth Year of King *George* the Third, for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for preventing treasonable and seditious Practices, and to put an End to certain Proceedings now pending under the said Act.
- XIII. An Act for extending the Copyright of Designs for Calico Printing to Designs for Printing other woven Fabrics.
- XIV. An Act for removing Doubts as to the Appointment of a Dean of *Exeter* or of any other Cathedral Church.
- XV. An Act to provide for the more effectual Execution of the Office of a Justice of the Peace within and adjoining to the District called *The Staffordshire Potteries*, and for Purposes connected therewith.
- XVI. An Act for improving the Practice and Proceedings of the Court of Pleas of the County Palatine of *Durham* and *Sadberge*.
- XVII. An Act to secure to Proprietors of Designs for Articles of Manufacture the Copyright of such Designs for a limited Time.
- XVIII. An Act to enable Archbishops and Bishops to raise Money on Mortgage of their Sees, for the Purpose of building and otherwise providing fit Houses for their Residence.
- XIX. An Act to amend an Act of the Sixth and Seventh Years of His late

- Majesty King *William* the Fourth, for consolidating the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland*, so as to enable the Grand Jury of the County of *Waterford* to make Presentments on account of the Fever Hospital of the said County, although situate in the County of the City of *Waterford*.
- XX. An Act to authorize the Application of Part of the Land Revenues of the Crown for the Erection of Stables and Stable Offices contiguous to *Windsor Castle*.
- XXI. An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and forty, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-nine.
- XXII. An Act to enable Justices of Assize on their Circuits to take Inquisition of all Pleas in the Court of Exchequer of Pleas which shall be brought before them without a Special Commission for that Purpose.
- XXIII. An Act to consolidate and amend the Laws for collecting and securing the Duties of Excise on Paper made in the United Kingdom.
- XXIV. An Act to repeal the Duties and Drawbacks of Excise on Bricks, and to grant other Duties and Drawbacks in lieu thereof, and to consolidate and amend the Laws for collecting and paying the said Duties and Drawbacks.
- XXV. An Act to remove Doubts as to the charging certain of the Duties of Excise on Glass.
- XXVI. An Act to provide for the Enactment of certain Laws in the Island of *Jamaica*.
- XXVII. An Act for regulating the Proceedings in the Borough Courts of *England* and *Wales*.
- XXVIII. An Act for more equally assessing and levying Watch Rates in certain Boroughs.
- XXIX. An Act for the better Protection of Parties dealing with Persons liable to the Bankrupt Laws.
- XXX. An Act for apportioning the Spiritual Services of Parishes in which Two or more Spiritual Persons have Cure of Souls generally throughout the Parish.
- XXXI. An Act to continue until the First Day of *June* One thousand eight hundred and forty-one, and to the end of the then Session of Parliament, the Local Turnpike Acts in *England* and *Wales* which expire with this or the ensuing Session of Parliament.
- XXXII. An Act to continue, until the End of the Session of Parliament next after the Thirty-first Day of *May* One thousand eight hundred and forty-one, certain of the Allowances of the Duty of Excise on Soap used in Manufactures.
- XXXIII. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty; and for the Relief of Clerks to Attornies and Solicitors in certain Cases.
- XXXIV. An Act to confirm certain Rules and Orders of the Supreme Courts of Judicature at *Port William* and *Madras*; and to empower the same Courts, and the Supreme Court of Judicature of *Bombay*, to make Rules and Orders concerning Pleadings.
- XXXV. An Act to continue, for One Year, Compositions for Assessed Taxes, and to alter the Period for the Expiration of Game Certificates, and for granting Licences to deal in Game.
- XXXVI. An Act to regulate the Duties to be performed by the Judges in the Supreme Courts of *Scotland*, and to increase the Salaries of certain of the said Judges.
- XXXVII. An act to amend, and extend until the First Day of *January* One thousand eight hundred and forty-two, the Provisions of an Act of the First Year of Her present Majesty for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Laws relating to Usury.
- XXXVIII. An Act to amend the Jurisdiction for the Trial of Election Petitions.
- XXXIX. An Act to amend an Act passed in the last Session of Parliament, for abolishing Arrest on Mesne Process in Civil Actions except in Certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in *England*.
- XL. An Act for procuring Returns relative to the Highways and Turnpike Roads in *England* and *Wales*.

- XLII.** An Act for regulating the Sequestration of the Estates of Bankrupts in *Scotland*.
- XLIII.** An Act to improve Prisons and Prison Discipline in *Scotland*.
- XLIII.** An Act to suspend until the End of the next Session of Parliament the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.
- XLIV.** An Act to prevent, until the End of the next Session of Parliament, Ships clearing out from a *British North American Port* loading any Part of their Cargo of Timber upon Deck.
- XLV.** An Act to amend an Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth relating to Highways.
- XLVI.** An Act to authorize the Trustees of Turnpike Roads to reduce the Scale of Tolls payable for Overweight.
- XLVII.** An Act for further improving the Police in and near the Metropolis.
- XLVIII.** An Act to amend Two Acts, of the Third and Fourth and Fifth Years of His late Majesty King *William* the Fourth, for consolidating and amending the Laws relative to Jurors and Juries in *Ireland*.
- XLIX.** An Act to make better Provision for the Assignment of Ecclesiastical Districts to Churches or Chapels augmented by the Governors of the Bounty of Queen *Anne*; and for other Purposes.
- L.** An Act to extend and amend the Provisions of the Acts for the Extension and Promotion of Public Works in *Ireland*; and for the Recovery of Public Moneys advanced for the Use of Counties, Parishes, and other Districts in *Ireland* on the Faith of Grand Jury Presentments and Parochial Assessments.
- LI.** An Act to regulate the Payment and Assignment in certain Cases of Pensions granted for Service in Her Majesty's Army, Navy, Royal Marines, and Ordnance.
- LII.** An Act for the further Regulation of the Duties on Postage until the Fifth Day of *October* One thousand eight hundred and forty.
- LIII.** An Act to amend an Act of the last Session of Parliament for making temporary Provision for the Government of *Lower Canada*.
- LIV.** An Act to amend the Law relating to the Custody of Infants.
- LV.** An Act to suspend, until the First Day of *August* One thousand eight hundred and forty, certain Cathedral and other Ecclesiastical Preferments, and the Operation of the new Arrangement of Dioceses upon the existing Ecclesiastical Courts.
- LVI.** An Act for the better ordering of Prisons.
- LVII.** An Act to continue, until Six Months after the Commencement of the next Session of Parliament, any Act of the last Session of Parliament, for authorizing Her Majesty to carry into immediate Execution by Orders in Council any Treaties for the Suppression of the Slave Trade.
- LVIII.** An Act to make further Provision for the Administration of Justice, and for improving the Practice and Proceedings, in the Courts of the Stannaries of *Cornwall*; and for the Prevention of Frauds by Workmen employed in Mines within the County of *Cornwall*.
- LIX.** An Act for taking away the Exemption, except in certain Cases, of Officers of the Militia to serve as Sheriff.
- LX.** An Act to explain and extend the Provisions of an Act passed in the First Year of His late Majesty King *William* the Fourth, intituled *An Act for consolidating and amending the Laws for facilitating the Payment of Debts out of Real Estate*.
- LXI.** An Act for the Improvement of the Navigation of the River *Shannon*.
- LXII.** An Act to explain and amend the Acts for the Commutation of Tithes in *England* and *Wales*.
- LXIII.** An Act to remove Doubts as to the charging the Duty of Excise on Hard Soap, until the Eleventh Day of *October* One thousand eight hundred and forty.
- LXIV.** An Act to defray the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia, until the First Day of *July* One thousand eight hundred and forty.

- LXV. An Act to amend the Mode of assessing the Rogue Money in *Scotland*, and to extend the Purposes of such Assessment.
- LXVI. An Act to reduce certain of the Duties now payable on Stage Carriages.
- LXVII. An Act to amend an Act of the Fifth and Sixth Years of the Reign of King *William the Fourth*, intituled *An Act to amend the Law touching Letters Patent for Inventions*.
- LXVIII. An Act to continue until the Thirty-first Day of *August* One thousand eight hundred and forty, an Act of the First and Second Years of her present Majesty, relating to legal Proceedings by certain Joint Stock Banking Companies against their own Members, and by such Members against the Companies.
- LXIX. An Act to authorize the purchase of building of Lodgings for the Judges of Assize on their Circuits.
- LXX. An Act to amend an Act of the Ninth Year of King *George the Fourth*, to provide for the Administration of Justice in *New South Wales* and *Van Diemen's Land*, and for the more effectual Government thereof, and for other Purposes relating thereto; and to continue the same until the Thirty-first Day of *December* One thousand eight hundred and forty, and thenceforward to the End of the then next Session of Parliament.
- LXXI. An Act for regulating the Police Courts in the Metropolis.
- LXXII. An Act for enabling Justices of Assize and Nisi Prius, Oyer and Terminer, and Gaol Delivery, to hold Courts for Counties at large in adjoining Counties of Cities and Towns, and conversely.
- LXXIII. An Act for the Suppression of the Slave Trade.
- LXXIV. An Act to extend and render more effectual for Five Years an Act passed in the Fourth Year of his late Majesty *George the Fourth*, to amend an Act passed in the Fiftieth Year of his Majesty *George the Third*, for preventing the administering and taking unlawful Oaths in *Ireland*.
- LXXV. An Act for the better Regulation of the Constabulary Force in *Ireland*.
- LXXVI. An Act to restrain the Alienation of Corporate Property in certain Towns in *Ireland* until the First Day of *September* One thousand eight hundred and forty.
- LXXVII. An Act for the better Prevention and Punishment of Assaults in *Ireland* for Five Years.
- LXXVIII. An Act to make further Provisions relating to the Police in the District of *Dublin* Metropolis.
- LXXIX. An Act for the better Prevention of the Sale of Spirits by unlicensed Persons in *Ireland*.
- LXXX. An Act to empower the Commissioners of her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to raise a sum of Money, for making additional Thoroughfares in the Metropolis.
- LXXXI. An Act to authorize for the Year, and from thence to the End of the then next Session of Parliament, the Application of a Portion of the Highway Rates to Turnpike Roads in certain Cases.
- LXXXII. An Act for the better Administration of Justice in detached Parts of Counties.
- LXXXIII. An Act to continue the Poor Law Commission until the Fourteenth Day of *August* One thousand eight hundred and forty, and thence forth until the End of the then next Session of Parliament.
- LXXXIV. An Act to amend the laws relating to the Assessment and Collection of Rates for the Relief of the Poor.
- LXXXV. An Act to enable Justices of the Peace in Petty Sessions to make Orders for the Support of Bastard Children.
- LXXXVI. An Act to amend an Act passed in the Session holden in the Sixth Year of His late Majesty King *William the Fourth*, for amending the laws relating to Bankrupts in *Ireland*.
- LXXXVII. An Act for improving the Police in *Manchester* for Two Years, and from thence until the End of the then next Session of Parliament.
- LXXXVIII. An Act for improving the Police in *Birmingham* for Two Years, and from thence until the End of the then next Session of Parliament.
- LXXXIX. An Act to apply a Sum out of the Consolidated Fund, and the Surplus of Ways and Means, to the Service of the Year One thousand eight hundred and thirty-nine, and to appropriate the Supplies granted in this Session of Parliament.
- XC. An Act for raising the Sum of

Twelve millions twenty-six thousand and fifty Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-nine.

XC. An Act to continue, until the First Day of *January* one thousand eight hundred and forty-one, an Act of the last Session of Parliament relating to the Bank of *Ireland*.

XCII. An Act to explain and amend an Act of the First and Second Years of Her present Majesty, so far as relates to Fines and Penalties levied under the Revenue Laws in *Ireland*.

XCIII. An Act for the Establishment of County and District Constables by the Authority of Justices of the Peace.

XCIV. An Act to exempt the Parliamentary Grant to the Heirs of *John Duke of Marlborough* from the Payment of the Duty of One Shilling and Sixpence in the Pound.

XCV. An Act for improving the Police in *Bolton* for Two Years, and from thence until the End of the then next Session of Parliament.

XCVI. An Act to authorize Her Majesty, until Six Months after the commencement of the next Session of Parliament, to carry into effect a Convention between Her Majesty and the King of the *French* relative to the Fisheries on the Coasts of the *British Islands* and of *France*.

XCVII. An Act for funding Exchequer Bills.

LOCAL AND PERSONAL ACTS,

Declared Public, and to be judicially noticed.

i. **A**N Act to amend the several Acts relating to the *Preston* and *Wyre* Railway and Harbour Company.

ii. An Act for effecting Improvements in the Streets and other Places within and contiguous to the Town of *Manchester*.

iii. An Act for incorporating "The *Preston Gas Light Company*," and for

better lighting with Gas or otherwise the Parliamentary Borough of *Preston*, and the Townships and Places therein mentioned, in the County of *Lancaster*.

iv. An Act for repairing the Road from *Epsom* to *Tooting*, and other Roads communicating therewith, all in the county of *Surrey*.

v. An Act for enabling the General Cemetery Company to raise a further Sum of Money; and for amending the Act relating to the said Cemetery.

vi. An Act for the better lighting and supplying the Borough of *Newark* in the County of *Nottingham*, and the Neighbourhood thereof, with Gas.

vii. An Act for lighting with Gas the Town of *Holmfirth* and the Neighbourhood thereof, in the West Riding of the County of *York*.

viii. An Act for providing a Market Place, and for regulating the Markets and Fairs, in the Town and Borough of *Bury* in the County Palatine of *Lancaster*.

ix. An Act to amend an Act of the Seventh and Eighth of King *George* the Fourth, for building a new Gaol for the Town of *Cambridge*, and for making further Provision for Payment of Creditors under the said Act.

x. An Act for the more effectual Drainage of certain Lands called the Fen and Dales of *Timberland* and *Timberland Thorp*, in the Parish of *Timberland* in the County of *Lincoln*.

xi. An Act to enable the *Rhymney* Iron Company to erect and endow a Church, in the Parish of *Bedwelly* in the County of *Monmouth*.

xii. An Act for making a Turnpike Road from the Town of *Redruth* in the County of *Cornwall* to and through the Village of *Hayle* in the Parish of *Phillack* in the same County.

xiii. An Act for repairing the Road from *Cotton End* near the Town of *Northampton* to *Newport Pagnel* in the County of *Buckingham*.

xiv. An Act to extend, alter, and amend the Powers and Provisions of an Act passed in the Seventh Year of the Reign of his late Majesty King *George* the Fourth, relating to the *New Cross* Turnpike Roads in the Counties of *Kent* and *Surrey*.

xv. An Act for repairing and maintaining the Road from *Workoop* to

- the Turnpike Road at *Kelham*, and from *Debdale Hill* to the Great Northern Road at *South Muskham*, in the County of *Nottingham*.
- xvi. An Act for extending, improving, regulating, and managing the Harbour of the Royal Burgh of *Aberbrothwick* in the County of *Furfar*.
- xvii. An Act for discharging the Inhabitants of the Manor of *Leeds* in the Township and Parish of *Leeds* in the County of *York* from the Custom of grinding Corn, Grain, and Malt at certain Water Corn-mills in the said Manor; and for making Compensation to the Proprietor of the said Mills.
- xviii. An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the *London and Croydon* Railway.
- xix. An Act for granting further Powers to the *London and Greenwich* Railway Company.
- xx. An Act for more effectually repairing and maintaining the Road from *Pulbrook Bridge* in the Parish of *Cullompton* to *Hazel-Stone* in the Parish of *Broucelist*, all in the County of *Devon*.
- xxi. An Act to alter, amend, and enlarge the Powers and Provisions of Two several Acts, of the Eleventh Year of the Reign of King *George* the Fourth and First Year of the Reign of King *William* the Fourth, and Fourth and Fifth Year of the Reign of King *William* the Fourth, for improving the Port and Harbour of *Perth*, and the Navigation of the River *Tay* to the said City.
- xxii. An Act for more effectually repairing and improving the Road from *Wearmouth Bridge* to *Tyne Bridge*, with a Branch from the said Road to the Town of *South Shields* all in the County of *Durham*.
- xxiii. An Act for repairing and maintaining the Road from the Town of *Rugby* to the Borough of *Warwick*, all in the County of *Warwick*.
- xxiv. An Act to consolidate, amend, enlarge, and extend the Powers and Provisions of Two Acts of King *George* the Third, for better supplying the Town and Neighbourhood of *Rochdale* with Water.
- xxv. An Act for enabling the *Cheltenham* Waterworks Company to enlarge and extend their Works, and for amending the Act relating thereto.
- xxvi. An Act for enabling the Company of Proprietors of the *Herefordshire and Gloucestershire* Canal Navigation to raise a further Sum of Money, and for amending the Acts relating thereto.
- xxvii. An Act to amend the Acts relating to "The Great Western Railway;" and to raise a further Sum of Money for the purposes of the said Undertaking.
- xxviii. An Act to amend the Acts relating to the *London and Southampton* Railway Company, hereafter to be called "The *London and South-western* Railway Company," and to make a Branch Railway to the Port of *Portsmouth*.
- xxix. An Act for repairing, improving, and maintaining the Roads from *Clitheroe*, through *Whalley*, to *Blackburn* and *Mellor Brook* in the County Palatine of *Lancaster*, and for making a new Piece of Road to communicate therewith.
- xxx. An Act for making a Turnpike Road from *Morville* to *Shipton*, with a Branch to *Brockton*, and another Branch from *Brockton* to *Easthope's Cross*, all in the County of *Salop*.
- xxxi. An Act for repairing, improving, and maintaining the Roads from *Bury*, through *Haslingden*, to *Blackburn* and *Whalley*, and other Roads communicating therewith, in the County Palatine of *Lancaster*.
- xxxii. An Act for repairing and maintaining the Road from *Leeds*, through *Harewood*, to the South-west Corner of the Inclosures of *Harrogate* in the West Riding of the County of *York*.
- xxxiii. An Act for repairing the Road from *Dover* in the County of *Kent*, through *Deal*, to *Sandwich* in the said County.
- xxxiv. An Act to enable the General Commissioners for Drainage by the River *Withan* in the County of *Lincoln* to sue and be sued in the Name or Names of any one of the said Commissioners or of their Clerk or Clerks for the Time being.
- xxxv. An Act for making and maintaining certain Reservoirs in the Township of *Risworth* in the Parish of *Halifax* in the West Riding of the County of *York*.
- xxxvi. An Act for more effectually repairing, improving, and maintaining the Harbour of *Eyemouth* in the County of *Berwick*.

- xxxvii. An Act for granting further Powers to the Company of Proprietors of the *Parrett* Navigation.
- xxxviii. An Act for better lighting with Gas the Town of *Brighton*, and the several Places therein mentioned, in the County of *Sussex*.
- xxxix. An Act to enable the *London and Birmingham* Railway Company to raise a further Sum of Money.
- xl. An Act for amending and enlarging the Provisions of the several Acts relating to the Great North of *England* Railway Company, and for other Purposes relating thereto.
- xli. An Act for enabling the *Liverpool and Manchester* Railway Company to extend the Line of the said Railway, and for amending and enlarging the Powers and Provisions of the several Acts relating to such Railway.
- xlii. An Act to amend the Acts relating to the South-eastern Railway.
- xliii. An Act for more effectually paving the Streets of the City of *Perth*; for the better lighting, watching, and cleansing the said City and Suburbs thereof; for maintaining and regulating the Police of the same, and for other Purposes relating thereto.
- xliv. An Act for establishing an effective Police in Places within or adjoining to the District called the *Staffordshire Potteries*, and for improving and cleansing the same, and better lighting Parts thereof.
- xlv. An Act for repairing several Roads leading to the Towns of *Basingstoke*, *Odiham*, and *Alton*, in the County of *Southampton*, and for making several Deviations in the Line of the said Roads.
- xlvi. An Act to amend an Act passed in the Sixth Year of His late Majesty King *William the Fourth*, for making a Turnpike Road from *Saint Leonard's* and *Saint Mary Magdalen* to the *Royal Oak Inn* at *Whittington*, and through *Sedlescomb* to *Cripp's Corner*, in the Parish of *Ewhurst*, in the County of *Sussex*.
- xlvii. An Act for more effectually repairing and improving the Road from *Edensfield Chapel* to *Little Bolton*, and certain Branch Roads connected therewith, all in the County Palatine of *Lancaster*.
- xlviii. An Act for building a Bridge over the River *Leven*, in the County of *Fife*, and otherwise improving the Road from *Boreland Loan* to *Sconie Bridge*.
- xlix. An Act for making and repairing several Roads leading to and from the Town of *Southmolton*, in the County of *Devon*.
- i. An Act for more effectually maintaining and repairing the Road leading from the West Side of the Entry to the New or *Jamaica Street Bridge* of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*.
- ii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Seventh Year of the Reign of His Majesty King *William the Fourth*, intituled, *An Act for making and maintaining a Railway or Railways from the City of Edinburgh to Leith, and to the Shore of the Frith of Forth at or near to Newhaven and Trinity, all in the County of Edinburgh*; and to alter and vary the Lines and Levels of the Railways thereby authorized to be made; and for other Purposes relating to the said Undertaking.
- iii. An Act for dissolving the *Croydon, Merstham, and Godstone* Iron Railway Company.
- liii. An Act to alter the Line of the North Midland Railway, and to amend the Acts relating thereto.
- liv. An Act to amend the several Acts relating to the *Preston and Wyre* Railway and Harbour Company and the *Preston and Wyre Dock* Company, and to consolidate the said Companies.
- lv. An Act for extending and for altering the Line of the *Manchester and Leeds* Railway, and for making Branches therefrom; and for amending the Acts relating thereto.
- lvi. An Act for extending and for altering the Line of the *Bristol and Gloucestershire* Railway, and for amending the Acts relating thereto.
- lvii. An Act for enabling the *Slamannan* Railway Company to raise a further Sum of Money.
- lviii. An Act to enable the *Wishaw and Coltness* Railway Company to raise a further Sum of Money; and to amend the Acts relating to the said Undertaking.
- lix. An Act to enable the *Ballochney* Railway Company to raise a further Sum of Money; and to amend the Acts relating to the said Undertaking.

- lx. An Act for making Wet Docks and other Works at and near to *Jarrow Slake* within the Port of *Newcastle upon Tyne*, and in the County of *Durham*, to be called "The *Tyne Docks*."
- lxi. An Act for enabling the Company of Proprietors of the *Birmingham Canal Navigations* to make a new Cut; and for extending and altering some of the Provisions of their present Act.
- lxii. An Act to repeal so much of an Act passed in the Twelfth Year of the Reign of His Majesty King *George the First*, for repairing the Walls, Gates, and other public Works in the City of *Norwich*, and several Bridges in and near the said City, and for amending the Roads therein mentioned, as relates to the Application of the Tolls and Duties thereby authorized to be raised; and to provide a new Mode of Application thereof.
- lxiii. An Act for paving, lighting, watching, and improving the Town of *Bradford*, in the County of *Wills*.
- lxiv. An Act for erecting, establishing, and maintaining a new Market in the City of *Aberdeen*, and for providing suitable Approaches thereto.
- lxv. An Act for further improving and maintaining the Harbour of the Burgh of Regality of *Fraserburgh* in the County of *Aberdeen*.
- lxvi. An Act for forming a Canal and other Works within and near certain Lands called the *West Croft*, in the Parish of *Saint Mary*, in the Town and County of the Town of *Nottingham*.
- lxvii. An Act for building a new Gaol for the Liberty or Soke of *Peterborough* and Hundred of *Nassatburgh*, in the County of *Northampton*, and for other Purposes connected therewith.
- lxviii. An Act for amending and enlarging the Powers of Acts for establishing a floating Bridge over the River *Itchen*, near the Town of *Southampton*.
- lxix. An Act to enable the *Manchester and Birmingham Railway Company* to vary and extend the Line of their Railway; and to amend the Act relating thereto.
- lxx. An Act to enable the *Monkland and Kirkintilloch Railway Company* to raise a further Sum of Money; and to amend the Acts relating to the said Undertaking.
- lxxi. An Act for incorporating certain Persons for the making and maintaining a Railway from the Township of *Crook* and *Billy Row* to the *Eggs Green Branch* of the *Clarence Railway*, in the Parish of *Saint Andrew Auckland*, all in the County of *Durham*, to be called "The *West Durham Railway*."
- lxxii. An Act for enlarging the Town Quay of the Borough of *Portsmouth*, and for improving that Portion of the Harbour of *Portsmouth* called *The Camber*.
- lxxiii. An Act for the Improvement of the Navigation of the River *May*, in the Counties of *Mayo* and *Sligo*, in *Ireland*.
- lxxiv. An Act to enable the *Newport Dock Company* to raise a further Sum of Money.
- lxxv. An Act to alter and amend the Powers and Provisions of an Act of the Fifth Year of the Reign of His Majesty King *William the Fourth*, for making and maintaining a Pier and other Works at *Deptford*, in the County of *Kent*.
- lxxvi. An Act to alter and amend the Powers and Provisions of an Act for making a Railway from the *London and Greenwich Railway* to the *Deptford Pier*, to be called "The *Deptford Pier Junction Railway*."
- lxxvii. An Act to amend and extend the Powers of the Northern and Eastern Railway Act.
- lxxviii. An Act to enable the Northern and Eastern Railway Company to alter the Line of their Railway by forming a Junction with the Eastern Counties Railway; and to provide a Station and other Works at *Shoreditch*, and to amend the Act relating to the Northern and Eastern Railway.
- lxxix. An Act to alter and divert the Line of the South-eastern Railway from a Point thereon in the Parish of *Chiddington*, in the County of *Kent*, so as to join the *London and Brighton Railway* at or near *Redstone Hill*, in the Parish of *Reigate*, in the County of *Surrey*.
- lxxx. An Act for better lighting with Gas the Village of *Over Darwen*, in the County Palatine of *Lancaster*.
- lxxxi. An Act for maintaining and regulating the Market in the Parish

- of Sidmouth, in the County of *Devon*.
- lxxxii. An Act for extending and enlarging an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, for making and maintaining a Turnpike Road from *Annesland* Toll Bar, in the County of *Lanark*; and for making and maintaining another Branch Road, to be called *Saint George's Road*, in connexion with the said Road.
- lxxxiii. An Act for forming and establishing "The *London* Patent White Lead Company;" and to enable the said Company to purchase certain Letters Patent.
- lxxxiv. An Act for forming and regulating a Company, to be called "The General Filtration and Dye Extract Company;" and to enable the said Company to purchase certain Letters Patent.
- lxxxv. An Act for the more easy and speedy Recovery of Small Debts and Damages within the Honour of *Pontefract*, Parcel of Her Majesty's Duchy of *Lancaster*, in the West Riding of the County of *York*; and for altering the Practice and extending the Jurisdiction of the Court Baron of the said Honor.
- lxxxvi. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Aberford* and other Places in the West Riding of the County of *York*.
- lxxxvii. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Rotherham* and other Places in the West Riding of the County of *York*.
- lxxxviii. An Act for the more easy and speedy Recovery of small Debts within the Town and Manor of *Glossop*, and other Places in the Parish of *Glossop*, in the County of *Derby*.
- lxxxix. An Act for the more easy and speedy Recovery of Small Debts within the Town or Borough of *Grant-ham*, in the County of *Lincoln*, and other Places in the Counties of *Lincoln* and *Leicester*.
- xc. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Rochdale*, and other Places in the County Palatine of *Lancaster*.
- xci. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Warrington*, and several other Places adjacent thereto, in the Counties of *Lancaster* and *Chester*.
- xcii. An Act for altering, amending, consolidating, and enlarging the Provisions of certain Acts relating to the Regulation of Buildings in the Borough of *Liverpool*.
- xciii. An Act for forming and regulating a Company to be called "The Ship Propeller Company;" and to enable the said Company to purchase certain Letters Patent.
- xciv. An Act for regulating the Police in the City of *London*.
- xcv. An Act for extending the Line of the Railway between *London* and *Blackwall*, called "The Commercial Railway," and for amending the Acts relating thereto.
- xcvi. An Act for establishing a general Cemetery for the Interment of the Dead in the Parish of *Brighton*, in the County of *Sussex*.
- xcvii. An Act for the more speedy Recovery of Small Debts within the Manor of *Hatfield*, and other Places in the West Riding of the County of *York*.
- xcviii. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Belper*, and several other Places in the County of *Derby*.
- xcix. An Act for the more easy and speedy Recovery of Small Debts within the Borough of *Newark*, and other Places in the Counties of *Nottingham* and *Lincoln*.
- c. An Act for the more easy Recovery of Small Debts within the Parishes of *Prestwich-cum-Oldham* and *Middleton*, in the County of *Lancaster*.
- ci. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Bury*, and other Places therein mentioned in the County of *Lancaster*.
- cii. An Act for the more easy and speedy Recovery of Small Debts within the Parish of *Wirksworth*, and other Parishes and Places adjacent or near thereto, in the several Counties of *Derby* and *Stafford*.
- ciil. An Act for the more easy and speedy Recovery of Small Debts within the Parish of *Eckington*, and other Places in the County of *Derby*.
- civ. An Act for the more easy and speedy Recovery of Small Debts

- within the Borough and Parish of *Chesterfield*, and other Parishes and Places adjacent or near thereto, in the County of *Derby*.
- cv. An Act for the more easy and speedy Recovery of Small Debts within the Town and County of the Town of *Nottingham*, and other Places therein mentioned, in the Counties of *Nottingham* and *Derby*
- cvi. An Act for the more easy and speedy Recovery of Small Debts within the Parishes of *Halifax*, *Bradford*, *Keighley*, *Bingley*, *Guisley*, *Colverley*, *Batley*, *Birstal*, *Mirfield*, *Hartishead-cum-Clifton*, *Almondbury*, *Kirkheaton*, *Kirkburton*, and *Huddersfield*, and the Lordship or Liberty of *Tong*, in the County of *York*.
- cvi. An Act for further extending the Approaches to *London Bridge*, and amending the Acts relating thereto.
- ix. An Act for inclosing Lands in the Manor and Township of *Tolley* in the Parish of *Dronfield* in the County of *Derby*.
- x. An Act for inclosing Lands in the Manor of *Unstone* in the Parish of *Dronfield* in the County of *Derby*.
- xi. An Act for inclosing Lands in the Parish of *Ringstead* in the County of *Northampton*.
- xii. An Act for inclosing Lands in the Parish of *Barton* in the County of *Cambridge*.
- xiii. An Act for inclosing Lands in the Borough or Township of *Chen* in the Parish of *Chen* in the County of *Salop*.
- xiv. An Act for inclosing Lands in the Parish of *Comberton* in the County of *Cambridge*.
- xv. An Act for inclosing Lands in the Parish of *Rampton* in the County of *Cambridge*.
- xvi. An Act to enable *Jane Mills* to grant Building and Repairing Leases of Estates in the Parish of *Aston-juxta-Birmingham* in the County of *Warwick* devised by the Will of the late *Wriothesly Digby*, Esquire; and also to alter and amend the Power of leasing contained in the Marriage Settlement of *Charles Wriothesly Digby* Esquire.

PRIVATE ACTS,

PRINTED.

- i. **A**N Act for inclosing certain Open and Common Downs of Sheepwalks within the several Tithings of *Oxenbourn* and *Ramedean* in the Parish and Manor of *Eastmeon* in the County of *Southampton*.
- ii. An Act for inclosing Lands in the Honour or Lordship of *Chirk* and *Chirk Land* in the several Parishes of *Llangollen* and *Llainsaint fraid Glyn Ceiriog* in the County of *Denbigh*.
- iii. An Act for inclosing Lands in the Parish of *Stow cum Quy* in the County of *Cambridge*.
- iv. An Act for inclosing Lands in the Parish of *Moulton* in the County of *Suffolk*.
- v. An Act for inclosing Lands in the Parish of *Fretherne* and *Saul* in the County of *Gloucester*.
- vi. An Act for inclosing Lands in the Parish of *Melbourn* in the County of *Cambridge*.
- vii. An Act for the Sale of the Advowson of the Vicarage of *Tetbury* in the County of *Gloucester*.
- viii. An Act for inclosing Lands in the Parish of *Berkeley* in the County of *Gloucester*.
- xvii. An Act to enable the Trustees of the Estates devised by *William Hulme*, Esquire, to appropriate certain Parts of the accumulated Fund arising from the said Estates towards the Endowment of Benefices, the building of Churches, and for other Purposes.
- xviii. An Act for vesting certain Hereditaments situate in the Parish of *Drypool* within the Borough of *Kingston-upon-Hull*, and in the Parish of *Sutton* in the East Riding of the County of *York* respectively, late the Property of *Robert Raikes*, Esquire, deceased, in Trustees, upon Trust to be sold, and for laying out the Money arising therefrom in the Purchase of other Estates, to be settled to the same Uses.
- xix. An Act for giving effect to certain Powers as to Parts of the Settled Estates of the Most Noble *Richard Plantagenet*, Duke of *Buckingham* and *Chandos*.
- xx. An Act to enable the Mayor and Commonalty and Citizens of the City of *London*, to let and sell Parcels of Ground in *Saint George's Fields* near

Bethlehem Hospital, to the Governors of the said Hospital.

xxi. An Act for enabling the Keepers and Governors of the Possessions, Revenues, and Goods of the Free Grammar School of *John Lyon* within the Town of *Harrow on the Hill*, in the County of *Middlesex*, to grant improving Leases of their Estates at *Harrow* and *Barnet*, and for other Purposes therein mentioned.

xxii. An Act for explaining and amending an Act made and passed in the Fifty-ninth Year of His Majesty King *George the Third*, intituled *An Act for vesting the Manor of Oram, and certain Messuages, Lands, Tenements, and Hereditaments in the County of Sussex, Part of the Settled Estates by the Will of Samuel Blunt, Esquire, deceased, in Trustees, to be sold; and for vesting the Money arising from such Sale in the Purchase of other Estates, to be settled to the same Uses.*

xxiii. An Act for vesting certain Parts of the devised Estates of *Hannah Gilpin Sharp*, Widow, deceased, in Trustees, in Trust, to be sold or demised, for the Purposes therein mentioned.

xxiv. An Act for vesting certain Parts of the Entailed Estate of *Ladykirk* in Trustees, to be sold, for Payment of the Debts affecting the same, and for other Purposes therewith connected.

xxv. An Act for authorizing the granting of Leases of Part of the Estates in the County of *Kent*, devised by the Will of the Right Honourable *Edward, Earl of Darnley*, deceased.

xxvi. An Act to authorize the granting of Mining and Building Leases and Conveyances of Parts of the Estates, devised by the Will of *James Alexander Hodson*, Esquire, deceased, subject to the Trusts of such Will.

xxvii. An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to sell building Ground in *Saint George's Fields*.

xxviii. An Act for inclosing certain Lands called the *West Croft* and *Burton Leys*, in the Parish of *Saint Mary* in the Town and County of the Town of *Nottingham*.

xxix. An Act for inclosing Lands in the Parishes of *West Beckham* and *Alby* in the County of *Norfolk*.

xxx. An Act for inclosing Lands in

the Manor of *Almsworthy* in the Parish of *Exford* in the County of *Somerset*.

xxxi. An Act for inclosing Lands in the Township of *Hartishead* otherwise *Hartshhead* in the Parish of *Dewsbury* in the West Riding of the County of *York*.

xxxii. An Act for inclosing, allotting, and improving certain Open Fields in the Parish of *Saint Mary* in the Town and County of the Town of *Nottingham*.

xxxiii. An Act for altering and amending certain Acts relating to the Churches of *Saint Mark*, *Saint Luke*, and *Saint Michael*, in the Borough of *Liverpool*.

xxxiv. An Act for vesting the Estate called the *Combe Bank* Estate, late belonging to the Right Honourable *Arthur Lord Templemore*, deceased, in Trustees to sell the same, and to invest the Produce of such Sale for the Benefit of his infant Sons.

xxxv. An Act to authorize the Sale of certain Lands, Tenements, and Hereditaments in the Counties of *Kent* and *Northampton*, formerly belonging to *William Marshall of Clifford's Inn* in the City of *London*, Gentleman, deceased; and for other Purposes incidental thereto.

xxxvi. An Act to enable *Randolph Earl of Galloway*, or the Heir in Possession of the Entailed Estates of *Garties, Baldoon, Newton Stewart*, and others, in the County of *Wigton* and Stewartry of *Kircudbright*, to reclaim certain sleschy Ground on the Shores of the said Estates, and to drain and improve the *Moss of Cree*, Part thereof; and to burden the said Estates partially, and the reclaimed and improved Land, with the Expence; and also to burden the said Estates with certain Expences incurred by the said Earl in improving the same.

xxxvii. An Act for vesting Parts of the Estates of Sir *John Davie*, Baronet, deceased, in Trustees, upon Trust to be sold; and for laying out the Purchase Money, under the Direction of the Court of Chancery, in the Purchase of other Estates, to be settled to the same Uses.

xxxviii. An Act for effecting an Exchange of Mines and Lands between Sir *Benjamin Hall*, Baronet, and

others, and *Capel Hambury Leigh*, Esquire, and others.

xxxix. An Act to authorize Conveyances in Fee Farm, or Demises for long Terms of Years under reserved Rents, of certain Parts of the Settled Estates of the Right Honourable *George Harry Earl of Stamford and Warrington*.

xl. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Reading* in the County of *Berks*, to sell certain Real Estate discharged from certain Liabilities, and to invest the Purchase Monies arising from such Sales in the Purchase of other Real Estate, to be charged with such Liabilities.

xli. An Act for exchanging Freehold and Copyhold Estates belonging to *John Motteux*, Esquire, in *West Rudham* and *East Rudham* in the County of *Norfolk*, for Freehold, Copyhold, and Leasehold Estates in *Darsingham* in the same County, settled under the Will of *Horatio*, Earl of *Orford*, deceased.

xlii. An Act for authorising the Sale of the Real Estate, devised by the Will of *Henry Boulton*, Esquire, deceased, and for the Application of the Monies to arise thereby.

xliii. An Act for vesting the undivided Sixth Share of *Ann Campbell Bligh*, Spinster, a Lunatic, as One of the Six Daughters and Co-heiresses of *William Bligh*, Esquire, deceased, in certain Lands and Hereditaments in *New South Wales*, of which the said *William Bligh*, died, seised, in Trustees, in whom the other Five undivided Sixth Shares are now vested, upon Trust for Sale.

xliv. An Act for enabling the Trustees of the Will of the Reverend *John Templer*, Clerk, deceased, to exchange certain of the Real Estates thereby devised, situate in the County of *Devon*, for certain other Estates situate in the same County.

xlv. An Act to enable *William Russell*, Esquire, to grant Leases of Coal Mines under the Lands within the Manor or Lordship of *Brancepeth* and other Lands in the County of *Durham*, devised by, or subject to the Uses and Trusts of the Will and Codicil of *William Russell*, Esquire, deceased, and the Will and Codicil of *Matthew Russell*, Esquire, deceased.

xlvi. An Act for inclosing Lands within the Parishes of *Rathkeale* and *Crough* in the County of *Limerick*.

PRIVATE ACTS,

NOT PRINTED.

xlvii. An Act for naturalizing *John Christoph Kayser*.

xlviii. An Act to enable *William Beckett*, Esquire, and his Issue Male, to take the Name and bear the Arms of *Turner*, pursuant to the Will of *Marta Turner*, Widow, deceased.

xlix. An Act for naturalizing *Ernest Reuss*.

l. An Act for naturalizing *Don Manuel de la Torre y Antunano*.

li. An Act for naturalizing *George Edward Biber*.

lii. An Act to dissolve the Marriage of *Johnstone Napier*, Esquire, a Lieutenant Colonel in the Military Service of the *East India Company* on their *Madras Establishment*, with *Isabella* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

liii. An Act to dissolve the Marriage of *Dionysius Lardner*, Clerk, Doctor of Civil Law, with *Cecilia Lardner* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

liv. An Act to dissolve the Marriage of *Henry Cood* (otherwise *Cood*), Esquire, with *Jane* his now Wife, and to enable him to marry again; and for other Purposes.

lv. An Act to dissolve the Marriage of *William Carleton*, Esquire, with *Rosamond Carleton* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

lvi. An Act for naturalizing *Nicola Ivanoff*.

lvii. An Act to dissolve the Marriage of *Robert Allison* with *Mary Ann* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

lviii. An Act to dissolve the Marriage of *Edward Leigh Pemberton* with

Charlotte his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

x. An Act to dissolve the Marriage of *Richard John Sutcliffe Mellin*, Esquire, with *Jane Mellin* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

x. An Act to dissolve the Marriage of

the Reverend *William Andrew We-guelin*, Clerk, with *Emma* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

lxi. An Act for naturalizing *Alexander Henry Augustus John Count de Saint George*.

lxii. An Act for naturalizing *Samuel Aspinwall Goddard*.

414 ANNUAL REGISTER, 1839.

PRICES OF STOCK in each Month in 1839.

Highest and Lowest.

	Bank Stock.	3 per Ct. Reduced.	3 per Ct. Consols.	3½ per Ct. 1818.	3¼ per Ct. red.	New 3¼ per Ct.	Long Annuity.	Old S.S. Annuity.	S.S. Stock.	India Stock.	India Bonds.	Ex. Bills £.1000.
January .. {	203½ 202	93½ 93½	93½ 92½	100½ 100½	100½ 100½	100½ 99½	15½ 14½	91½	104½ 103½	257½ 254½	66 p.m. 62 p.m.	70 p.m. 64 p.m.
February .. {	206 202½	93½ 92½	93½ 92½	101½ 100½	101½ 100½	100½ 99½	15½ 15	91½ 90½	104½ 103	257½ 252	65 p.m. 61 p.m.	68 p.m. 38 p.m.
March {	206 205½	93½ 93½	93½ 92½	101½	101½	101 100½	15½ 15½	91½	104½	257½ 256½	67 p.m. 58 p.m.	68 p.m. 43 p.m.
April {	196½ 196½	92½ 91½	93½ 92½	99½ 98½	99½ 98½	101½ 101	14½ 14½	90½ 89½	103½ 103	256 251	51 p.m. 40 p.m.	51 p.m. 36 p.m.
May {	197½ 195	92½ 92½	93½ 93½	100 99½	100½ 99½	101½ 101	14½ 14½	90½ 90½	104½ 103½	257½ 255½	47 p.m. 29 p.m.	44 p.m. 24 p.m.
June {	196 189	93 91½	93½ 93½	100 99½	100½ 99	101½ 101½	14½ 14½	90½ 90½	102	257 256	34 p.m. 10 p.m.	32 p.m. 5 p.m.
July {	192½ 187	92½ 91½	92½ 91½	99½ 98½	100½ 99½	99½ 99	14½ 14½	91 90½	102	254 251	30 p.m. 15 p.m.	29 p.m. 8 p.m.
August. {	187 182	98½ 91½	92½ 91½	100½ 99½	100½ 99½	99½ 99	14½ 14½	90½ 88	102 100½	253½ 246½	20 p.m. 5 p.m.	23 p.m. 3 p.m.
September. {	185½ 184½	91½ 90½	91½ 90½	98½ 97½	99 97½	99½ 97½	14½ 14½	90½ 88	98½ 98½	249½ 247½	10 p.m. par.	14 p.m. 1 dia.
October .. {	182½ 178½	90 89½	91 90	97½ 97	97½ 97	98½ 97½	13½ 13½	87½ 86½	97½	249 246	2 p.m. 4 dia.	par. 5 dia.
November. {	181 178	89½ 89½	90½ 90½	97½ 96½	98 97	99½ 98½	13½ 13½	88½ 87½	99½ 99½	252 246	par. 14 dia.	1 p.m. 12 dia.
December. {	179 177½	90½ 89½	90½ 90	98½ 97½	99½ 97½	99½ 98½	14 13½	89½ 89	100½ 99½	253 251½	6 dia. 10 dia.	1 dia. 7 dia.

APPENDIX TO CHRONICLE. 415

AVERAGE PRICES OF BRITISH CORN.

FROM THE RETURNS.

	Wheat.		Barley.		Oats.		Rye.		Beans.		Peas.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
January 25	79	8	38	7	26	4	51	4	41	8	43	6
February 25 ...	77	5	40	10	26	3	49	3	40	9	41	9
March 25	76	6	41	4	27	4	49	3	40	9	41	9
April 26	70	4	38	4	24	4	40	2	37	1	37	9
May 24	70	9	39	5	25	0	40	7	38	3	38	4
June 21	70	3	39	0	25	11	41	8	39	4	38	8
July 26	68	6	38	5	27	1	42	7	40	5	39	9
August 23	70	6	38	2	27	0	45	2	40	11	41	6
September 20 ..	71	6	38	6	26	8	44	0	42	1	41	6
October 25	68	11	40	5	26	9	38	5	44	10	43	8
November 22 ...	66	11	41	5	25	9	37	11	45	8	46	4
December 20 ...	67	4	41	4	25	10	38	0	45	5	44	3

AVERAGE PRICES OF HAY, CLOVER, & STRAW & LOAD.

January.	February.	March.	April.	May.	June.
Hay. 4 0 to 5 10	Hay. 4 0 to 5 10	Hay. 4 0 to 5 10	Hay. 4 0 to 5 10	Hay. 4 18 to 5 0	Hay. 5 10 to 4 15
Clover. 4 10 to 6 0	Clover. 4 10 to 6 0	Clover. 4 10 to 6 0	Clover. 2 10 to 6 10	Clover. 4 0 to 5 12	Clover. 4 10 to 5 12 6
Straw. 1 18 to 2 2	Straw. 1 18 to 2 2	Straw. 1 18 to 2 2	Straw. 1 16 to 2 4	Straw. 1 14 to 2 4	Straw. 1 18 to 2 2
July.	August.	September.	October.	November.	December.
Hay. 3 10 to 4 18	Hay. 3 10 to 5 0	Hay. 3 5 to 4 15	Hay. 3 10 to 4 10	Hay. 3 10 to 4 12	Hay. 3 5 to 4 7
Clover. 3 15 to 6 0	Clover. 4 0 to 5 15 6	Clover. 4 5 to 6 0 6	Clover. 2 15 to 5 15	Clover. 4 0 to 6 0	Clover. 4 4 to 5 16
Straw. 1 18 to 2 0	Straw. 1 16 to 2 0	Straw. 1 18 to 2 4	Straw. 1 16 to 2 0	Straw. 1 14 to 1 18	Straw. 1 14 to 1 18

AVERAGE PRICES OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. in Smithfield Market, in 1839.

	Beef.		Mutton.		Veal.		Pork.		Lamb.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Jan.	3	8 to 4 8	4	5 to 5 2	5	6 to 6 4	5	0 to 6 0		
Feb.	3	6 to 4 6	4	6 to 5 4	4	6 to 5 4	5	4 to 5 2		
March ...	3	10 to 4 2	4	8 to 5 2	5	4 to 5 10	5	0 to 5 2		
April	3	4 to 4 4	4	0 to 4 10	4	4 to 5 4	4	0 to 5 0	6	4 to 7 2
May	3	8 to 4 4	4	4 to 4 10	4	8 to 5 6	4	4 to 5 4	6	0 to 6 8
June ...	3	4 to 4 6	4	2 to 5 0	4	2 to 5 0	4	0 to 5 0	5	4 to 6 0
July	3	6 to 4 6	4	0 to 4 10	4	2 to 5 2	4	4 to 5 4	5	6 to 6 0
Aug.	3	4 to 4 6	4	0 to 4 10	4	4 to 5 2	4	2 to 5 0	5	4 to 6 0
Sept.	3	6 to 4 6	4	4 to 5 2	4	4 to 5 0	4	6 to 5 6	5	0 to 5 8
Oct.	3	4 to 4 4	4	0 to 5 0	4	2 to 5 2	4	6 to 5 4		
Nov.	3	4 to 4 6	4	0 to 5 0	4	4 to 5 4	4	4 to 5 0		
Dec.	3	4 to 4 4	4	0 to 5 2	4	0 to 5 4	4	0 to 5 0		

416 ANNUAL REGISTER, 1839.

BILLS OF MORTALITY, from January 1, 1839, to December 24, 1839.

Christened { Males.. 9,469 } 19,038 || Buried { Males... 8,425 } 16,748
 { Females 9,569 } { Females 8,323 }

WHEREOF HAVE DIED,			
Under two years of age	4416	Between sixty and seventy	1464
Between two and five	2046	Seventy and eighty	1100
Five and ten	882	Eighty and ninety.....	377
Ten and twenty	657	Ninety and a hundred	35
Twenty and thirty	1164	Above a hundred	1
Thirty and forty	1486		
Forty and fifty	1655		
Fifty and sixty	1459		

TABLE of the Number of BANKRUPTS & DECLARATIONS of INSOLVENCY.

	England.	Ireland.	Scotland.	Total.	Declarations of Insolvency
January	66	0	9	75	13
February.....	65	4	2	71	11
March	65	6	4	82	15
April	84	4	4	92	14
May.....	78	6	7	91	12
June	81	6	2	89	10
July.....	122	4	12	138	13
August	104	4	8	116	10
September	67	5	10	82	5
October	74	3	30	107	7
November	148	7	24	179	15
December	127	8	36	171	16
			Total.....	1993	141

METEOROLOGICAL TABLE FOR 1839.

Month.	Barometer.		Thermometer.		Number of Rainy and Snowy Days.
	Highest.	Lowest.	Highest.	Lowest.	
	In. Fts.	In. Fts.	°	°	
January	30.50	29.9	51	29	12
February	30.46	29.10	53	29	10
March	30.18	29.30	56	26	13
April	30.44	29.45	64	32	8
May	30.20	29.18	70	34	7
June	30.26	29.27	78	47	10
July.....	30.29	29.50	79	52	9
August.....	30.30	29.45	80	49	5
September	30.08	29.10	72	40	13
October	30.28	29.48	68	40	10
November	30.30	29.20	67	31	10
December	30.35	29.17	53	32	12

UNIVERSITY OF OXFORD.

EXAMINATIONS. TERM—PASCHAL, 1889.

In Literis Humanioribus.

CLASSIS I.

Buckley, William E. *Brasen-nose*.
 Christie, Albany J. *Oriel*.
 Goulburn, Edward M. *Balliol*.
 Linwood, William, *Christ Church*.
 Waldegrave, Samuel, *Balliol*.

CLASSIS II.

Cornish, Henry H. *Magdalen Hall*.
 Crockat, John, *Magdalen Hall*.
 Eyton, Robert, W. *Christ Church*.
 Hornby, Edward J. G. *Merton*.
 Hoskyns, John J. *Magdalen*.
 Kent, Thomas F. *Balliol*.
 Mason, Richard W. *Jesus'*.
 Starkey, Arthur B. C. *St. John's*.
 Tripp, Henry, *Worcester*.
 Zincke, Foster B. *Wadham*.

CLASSIS III.

Adamson, Edward H. *Lincoln*.
 Addison, William G. S. *Magdalen Hall*.
 Byron, John, *Brasen-nose*.
 Driffeld, George T. *Brasen-nose*.

Eddie, Richard, *Brasen-nose*.
 Emeris, John, *University*.
 Fincham, George T. *St. John's*.
 Graham, William P. *Queen's*.
 Heygate, William E. *St. John's*.
 Jackson, William D. *St. John's*.
 Knight, William, *Worcester*.
 Lowe, Thomas, *Oriel*.
 Mence, John W. *Worcester*.
 Neville, Charles, *Trinity*.
 Nugent, Edmund L. *Exeter*.
 Oldfield, Edmund, *Worcester*.
 Pearson, Hugh, *Balliol*.
 Windsor, Samuel, B. *Christ Church*.

CLASSIS IV.

Alsop, James R. *Brasen-nose*.
 Brameld, George W. *Lincoln*.
 Cruttwell, Harry E. *Worcester*.
 Dukes, Edward R. *Christ Church*.
 Firth, Richard, *New College*.
 Hebson, Robert, *Queen's*.
 Hill, Edward, *St. Edmund Hall*.
 Humphreys, John J. H. *Exeter*.
 Meyrick, James, *Queen's*.
 Sweet, James, *Balliol*.
 Whalley, James, B. P. *University*.

CLASSIS V.—LXXI.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Waldegrave, Samuel, *Balliol*.

CLASSIS II.

Christie, Albany J. *Oriel*.
 Neville, Charles, *Trinity*.
 Windsor, Samuel B. *Christ Church*.
 Vol. LXXXI.

CLASSIS III.

Adamson, Edward H. *Lincoln*.
 Benicke, Calverley, *University*.
 Harris, John H. A. *Trinity*.

CLASSIS IV.

Cole, George E. *St. Mary Hall*.

418 ANNUAL REGISTER, 1839.

Coningham, John, *St. Mary Hall*.
 Joynes, Richard, *Corpus*.
 March, Lord, *Christ Church*.

Napier, Charles W. A. *Christ Church*.
 Repton, George H. *University*.
 Thompson, John L. *Exeter*.

EXAMINERS.

Lit. Hum.

R. Greswell.
 R. Hussey.
 W. Palmer.
 H. Wall.]

Dis. Math.

T. Twiss.
 J. Walker.
 N. Pococke.

CLASSIS V.—LXXI.

TERM, MICHAELMAS, 1839. *In Literis Humanioribus.*

CLASSIS I.

Fraser, James, *Lincoln*.
 Giraud, Henry A., *Worcester*.
 Jones, Edward R., *Brasen-nose*.
 Jowett, Benjamin, *Balliol*.
 Kay, William, *Lincoln*.
 Northcote, Stafford H., *Balliol*.

CLASSIS II.

Anderdon, William H., *University*.
 Andrew, Samuel, *Lincoln*.
 Clarke, Thomas Grey, *Queen's*.
 Cooke, Samuel H., *Christ Church*.
 Dalgairne, John D., *Exeter*.
 Estcourt, Edward D., *Balliol*.
 Graham, William B., *Magdalen Hall*.
 Marshall, George, *Christ Church*.
 Price, Thomas C., *Merton*.
 Sheppard, John George, *Wadham*.
 Swayne, George C., *Corpus*.

CLASSIS III.

Anstis, Matthew, *Exeter*.

Beckett, William T., *Trinity*.
 Bradley, Edward, *Magdalen Hall*.
 Conway, John J., *Brasen-nose*.
 Dawson, Richard, *Wadham*.
 Fox, Henry W., *Wadham*.
 Gray, Robert H., *Christ Church*.
 Lane, Edmund, *Magdalen Hall*.
 Maule, Thomas C., *St. John's*.
 Pearce, Thomas, *Magdalen*.
 Rawlinson, William C., *Magdalen Hall*.
 Sayres, John, *Wadham*.
 Smythies, William Y., *Trinity*.
 Weidemann, Charles F. S., *Christ Church*.

CLASSIS IV.

Bathurst, Robert, *New College*.
 Burney, Edward R., *Magdalen*.
 Corbett, Uvedale, *Christ Church*.
 Hathaway, Edward P., *Queen's*.
 Hobbouse, Reginald, *Balliol*.
 Mapleton, Reginald J., *St. John's*.
 Preston, Thomas, *Exeter*.
 Somers-Cocks, Hon. C., *Christ Church*.
 Tomlins, Richard, *St. Mary Hall*.
 Tuttielt, Edward, *Christ Church*.
 Wigan, William L., *Christ Church*.

CLASSIS V.—LXXIV.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Gordon, John, *Brasen-nose*.

CLASSIS II.

Brancker, Henry, *Wadham*.
 Hobbouse, Reginald, *Balliol*.
 Kay, William, *Lincoln*.
 White, William, *Christ Church*.

CLASSIS III.

Cooke, Samuel H., *Christ Church*,
 Dawson, Richard, *Wadham*.
 Gray, Robert H., *Christ Church*.
 Marshall, George, *Christ Church*.

Northcote, Stafford H., *Balliol*.

CLASSIS IV.

Sockett, Henry, *Exeter*.
 Somers-Cocks, Hon. C., *Christ Church*.

EXAMINERS.

Lit. Hum.

R. Greswell,
 R. Michall.
 R. Hussey.
 H. Wall.

Dis. Math.

J. Twiss.
 J. Walker.
 N. Pococke.

UNIVERSITY OF CAMBRIDGE.

EXAMINATIONS. MATHEMATICAL TRIPOS, 1839.

Moderators. { Thomas Gaskin, M. A. *Jesus*,
 Joseph Bowstead, M. A. *Pembroke*.
Examiners. { Edwin Steventon, M. A. *Corpus*.
 George Bullock, M. A. *St. John's*.

Wranglers.

DS. Cowie, 2. *John's*.
 Front, 1. *John's*.
 Colson, *John's*.
 Reyner, *John's*.
 Mathison, B. *Trinity*.
 Hearn, *Jesus*.
 Maitland, A. *Trinity*.
 Cory *Pembroke*.
 Croker, *Caius*.
 Marett, *Trinity*.
 Codd, *John's*.
 Crowfoot *Caius*.
 Ferguson *Pembroke*.
 Baggallay *Caius*.
 Guillebaud *Trinity*.
 Gibson *Corpus*.
 Mallinson *Magdalen*.
 Newmarch .. } *Trinity*.
 Paget } *Caius*.
 Ferguson *Trinity*.
 Ackland *John's*.
 Bailey, B. *John's*.
 Brosier *Caius*.
 Ainsworth *Catherine*.
 Caswall *Clare*.
 Pownall *Trinity*.
 Williams *Kennelman*.
 Smith, B. *Peter's*.
 Lawrence, B. *Trinity*.

DS. Peake *Sidney*,
 Garratt *Trinity*,
 Jago *John's*.
 Slipper *Caius*.
 Hare *Clare*.
 Whiah *Trinity*.
 Bainbridge *John's*.
 Hill *John's*.
 Palmer *Trinity*.
 Christian, B. *Pembroke*.
 Ball *Christ's*.

Senior Optimes.

DS. Oram *John's*.
 Morrice *John's*.
 Blow *John's*.
 Sharpe *Catherine*.
 Relton, B. *Pembroke*.
 Gell, B. *Trinity*.
 Wallace *Trinity*.
 Simey, B. *Trinity*.
 Martin *Sidney*.
 Searle *Pembroke*.
 Heather *Peter's*.
 Cr wther *Caius*.
 Patinson *Peter's*.
 Bolton, A. *John's*.
 Plume *Queen's*.
 Abercrombie *Caius*.

Q 1. Denotes Senior Smith's Prizeman. 2. Junior. 3. First Class, or Classical Tripos.
 4. Second Class. 5. Third Class.

420 ANNUAL REGISTER, 1839.

Glossop *Peter's*.
 Freeman, F. *Trinity*.
 Thornton *Clare*.
 Bedford *Peter's*.
 Arnold *John's*.
 Merry, a. *Jesus*.
 Young *Emmanuel*.
 Micklethwaith *Jesus*.
 Slight *John's*.
 Brett *Caius*.
 Peat *Peter's*.
 Brodrick, B. } *Æg.* } *Trinity*.
 Marsh } *John's*.
 Eddis, a. *Trinity*.
 Lanton } *Æg.* } *Jesus*.
 Vigers } *Trinity*.
 Ritchie *Trinity*.
 Gray *Catherine*.
 Raester } *Æg.* } *Peter's*.
 Whittaker .. } *John's*.
 Kelly *John's*.
 Gower *John's*.
 Mare *Magdalen*.
 Joy, B. *Trinity*.
 Woodward *John's*.
 Thomas *Pembroke*.
 Mills, A., a. *Queen's*.
 Sowden, *Magdalen*.
 Hopper, a. *Trinity*.
 Pierson *Jesus*.
 Leeman, B. *John's*.
 Heath *Jesus*.
 Molesworth .. } *Æg.* } *Pembroke*.
 Yeoman B. } *Trinity*.

Junior Optimes.

Da. Drake } *Æg.* } *Corpus*.
 Stewart, J., y. } *Trinity*.
 Hides } *John's*.
 Murray } *Æg.* } *Trinity*.
 Osborne *John's*.
 Maunder, y. *Queen's*.
 Beck } *Æg.* } *Corpus*.
 Jones } *John's*.
 Southwood *John's*.
 Freeman, P., a. *Trinity*.
 Harton *John's*.
 Wigson *John's*.
 Mills *Queen's*.
 Wallace *Pembroke*.
 Martyn, B. *John's*.
 Hutchins *Trinity Hall*.
 Snelgar *Jesus*.
 Gordon, y. *Trinity*.
 Packer *Trinity*.
 Green, B. *Jesus*.
 Haslehurst *Trinity*.
 French *Caius*.
 Wordham, a. *Jesus*.
 Julius *John's*.
 Humphreys, y. *John's*.
 Penrose, a. } *Æg.* } *Trinity*.
 Simpkinson .. } *Trinity*.
 Watson, y. *Emmanuel*.
 Holmes *Clare*.
 Tucker, y. *Emmanuel*.

CLASSICAL TRIPOS, 1839.

Examiners. { Richard Shilleto, M. A., *Trinity*.
 Ben. W. Beatson, M. A., *Pembroke*.
 James Hildyard, M. A., *Christ's*.
 George John Kennedy, M. A., *John's*.

First Class.

Dr. Freeman *Trinity*.
 Penrose *Trinity*.
 Maitland, B. *Trinity*.
 Eddis, A. *Trinity*.
 Woodham *Jesus*.
 Hopper *Trinity*.
 Bolton } *John's*.
 Mills } *Æg.* } *Queen's*.
 Merry *Jesus*.
 Simpkinson *Trinity*.

Second Class.

Da. Yeoman *Trinity*.
 Leeman *John's*.
 Christian *Pembroke*.
 Joy *Trinity*.

Brodrick *Trinity*.
 Gell *Trinity*.
 Relton *Pembroke*.
 Sismey *Trinity*.
 Mathison *Trinity*.
 Martyn *John's*.
 Bailey *John's*.
 Lawrence *Trinity*.
 Green *Jesus*.

Third Class.

Da. Humphreys *John's*.
 Tucker *Emmanuel*.
 Stewart *Trinity*.
 Watson *Emmanuel*.
 Maunder *Queen's*.
 Gordon *Trinity*.

PUBLIC DOCUMENTS.

I. — FOREIGN.

HOLLAND AND BELGIUM.

“PROTOCOL OF THE CONFERENCE HELD AT THE FOREIGN OFFICE,
DECEMBER 6, 1838.

“PRESENT, the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia. The plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, having met in conference, acknowledge the receipt of the annexed note (A.), delivered on the 28th of November, 1838, to the plenipotentiaries of France, Great Britain, and Russia, by those of Austria and Prussia, acting as the agents of the Germanic confederation.

“The plenipotentiaries of the five courts having taken into consideration the state of the negotiations in which they were engaged, after the exposition of the overtures made on the 14th of March last to the conference by the plenipotentiary of his majesty the king of the Netherlands, in order to attain the conclusion of such a final arrangement of the differences between Holland and Belgium as may be accepted by the two parties, it has been proposed to communicate to the governments of the Netherlands and of Belgium

the subjoined article (B.), drawn up during the course of the negotiations, as containing just and equitable proposals, the speedy acceptance of which by those two governments is greatly to be desired for the consolidation of the general peace.

“The subjoined draughts (C. and D.) of the two notes intended to be presented as final proposals to the plenipotentiaries of the Netherlands and Belgium, with the annexed draughts (E. F. G.) of treaties to be concluded between the five powers and Holland, between Holland and Belgium, and between the five powers and Belgium, have obtained the assent of the plenipotentiaries of Austria, Great Britain, Prussia and Russia; whereas the plenipotentiary of France has declared that he was not authorized to give his consent to the terms and the spirit of the present protocol, taking, however, these documents *ad referendum*. After these declarations, the plenipotentiaries at the four other

courts requested the plenipotentiary of France to acquaint his court with those documents, expressing their confidence that the French cabinet, always anxious to remain united with its allies, and to join its efforts to theirs for the preservation of general peace and of the treaties which are the basis of it, will not hesitate to give its approbation to an arrangement drawn up with the same intention, and

after the appreciation of the circumstances which make a prompt basis of arrangement, in the affair which is submitted to us, appear to be a subject of general and urgent importance.

“SENFFT.

“SEBASTIANI.

“PALMERSTON.

“BULOW.

“POZZO DI BORGIO.”

“NOTE A. ANNEXED TO THE PROTOCOL OF DECEMBER 6.

“THE PLÉNIPOTENTIARIES OF AUSTRIA AND PRUSSIA TO THEIR EXCELLENCIES THE PLÉNIPOTENTIARIES OF FRANCE, GREAT BRITAIN, AND RUSSIA.

“London, Nov. 28, 1838.

“The undersigned plenipotentiaries of Austria and Prussia, invested with the full powers and charged with the defence of the interests of the Germanic confederation in the negotiation relative to the affairs of Holland and Belgium, have seen with regret the documents which have been published at the time of the opening of the legislative chambers at Brussels, in language in which a design is clearly expressed to refuse the restitution as well of the territory which, according to article 2 of the treaty of the 24 articles, concluded on the 14th of October, 1831, by the conference of London, should continue to belong to the Grand Duchy of Luxembourg, as of that part of Limburg which by the fourth of the said articles is to belong to the king of the Netherlands, either as grand duke of Luxembourg, or to be united to Holland, without the government's having alleged against

these documents the engagements contracted by a solemn treaty and the right of a third party, both which these documents disregard.

“The undersigned have the less difficulty in seeing in the manifestation of these sentiments a violation of the rights of the Germanic confederation, as this happened on the part of a government which is tolerated only provisionally in the possession of the said territory, and which would thus, by its own authority, change the position *de facto* into a permanent right, which in the present case constitutes an usurpation.

“The rights of the Germanic confederation to the Grand Duchy of Luxembourg, founded on the treaties of 1815, recognized by the conference at the very outset of the negotiations and formally maintained against the enterprises of the Belgians by protocols 19 and 21, are, as far as concerns the part of the Grand Duchy which, by article 4 of the 24 articles, is

to belong to Belgium, transferred to that part of Limburg which is to be substituted for it, a transfer upon which the confederation makes its assent to the territorial arrangement respecting Luxemburg depend, and with which it declared itself satisfied by the authority communicated to the undersigned on the 15th of June this year."

"Hence it follows that the rights recognized by the five powers in protocol 10, by virtue of which other states should take such measures as they should judge necessary to cause their legal rights to be respected, or to re-establish them in all countries belonging to them, to which Belgium raises pretensions, and which are situated without the limits of its territory, which is declared neuter (which right has not been since repealed by any act of the conference or of

the confederation) is applicable as well to the part of the grand duchy recognized as belonging to king William by article 2, as to the portion of Limburg above mentioned.

"The undersigned, without in the least pretending to foresee the decisions of the Germanic confederation, leave it to the confederation to assert, in consequence of the late provocations of the Belgians, rights that the Belgian government is bound to respect by the engagements contracted with the five courts in the treaty of the 15th of November, 1831.

"The undersigned request the plenipotentiaries of France, Great Britain, and Russia, to take note of the above-mentioned right, as they themselves do by this present paper. They have the honour,

"SENFFT.

"BULOW."

**"NOTE B, ANNEXED TO PROTOCOL OF THE 6TH OF DECEMBER, 1838.
SUBSTANCE OF THE MODIFIED TREATY PROPOSED."**

"Articles 1 to 8 remain the same as in the treaty of the 24 articles.

"Art. 9, & I.—With respect to the navigation of the Scheldt, commissioners of the two countries shall agree upon a pilot duty; till then the tariff of 1829 shall be observed in the mouths of the Meuse from the open sea to Helvoet, and from Helvoet to Rotterdam, in proportion to the distance.

"Sec. 2. All ships proceeding from the open sea to Belgium, and *vice versa*, may take pilots of either country.

"Sec. 3. The government of the Netherlands shall levy on the navigation of the Scheldt and the mouths of the Scheldt a single duty of 1 florin and 60 cents. per

ton—namely, 1 florin 12 cents. on ships coming from the open sea, and ascending the West Scheldt to proceed to Belgium by the Scheldt, or by the canal of Terneuzen, and 38 cents. per ton on ships which shall descend the Western Scheldt coming from the canal of Terneuzen, or from the Scheldt, and proceeding to the open sea; and in order that the ships may experience no delay, this toll shall be received at Antwerp or at Terneuzen by Dutch agents.

"As for the eastern, which does not serve for the navigation between Antwerp and the sea, but between Antwerp and the Rhine, a duty shall be levied according to the tariff of Ments of 31st of March, 1831, in the navigation

from Gorcum to the sea, all in proportion to the distance.

"Art. 10 to 12 remain the same.

"Art. 13, from the 1st of May, 1839, the debt is 5,000,000.

"Articles 15 to 24 remain unchanged.

"The stipulations relative to the territory are not modified.

"The protocol is only a propo-

sal made to the king of the Netherlands; if he does not agree to it, the powers will continue as hitherto to take care of the preservation of peace. If Holland accepts, and Belgium refuses, the conference engages to take measures which shall justify the confidence that Holland places in its support."

NOTE C, ANNEXED TO THE PROTOCOL OF DECEMBER 6TH, 1838.—
DRAUGHT OF A NOTE OF THE PLENIPOTENTIARIES OF THE FIVE POWERS TO THE PLENIPOTENTIARY OF HIS MAJESTY THE KING OF THE NETHERLANDS.

"The undersigned plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, have taken into mature consideration the communication addressed to them on the 14th of March last by the plenipotentiary of his majesty the king of the Netherlands, by which his said majesty has declared himself ready to cause his plenipotentiary to sign the 24 articles agreed to in the conference of October 15, 1831. They have likewise fixed their attention on the inclination manifested by the cabinet of the Hague to facilitate an arrangement conformable in various points to the 24 articles, and being obliged at the same time to consider the changes which an

interval of three years has effected in the reciprocal situation of the parties, they have, after a long, secret, and confidential negotiation, endeavoured to agree on acceptable proposals to be made to both parties, in order to terminate the Dutch and Belgian question by a definitive treaty.

"Having concluded their labours, the undersigned are now able to offer the result to his majesty the king of the Netherlands for his acceptance, and they have the honour to transmit for that purpose to his excellency M. Debel, his plenipotentiary to the conference, the annexed draughts of treaties:—

A TREATY BETWEEN THE FIVE POWERS AND HIS MAJESTY THE KING OF THE NETHERLANDS, WITH AN APPENDIX; AND A TREATY BETWEEN HIS MAJESTY THE KING OF THE NETHERLANDS AND HIS MAJESTY THE KING OF THE BELGIANS, INVITING HIM TO COMMUNICATE THIS TO HIS GOVERNMENT, WITH THE PRESENT NOTE.

"The undersigned refrain from entering into a development of the considerations which have guided them with respect to some arrangements differing from those of the twenty-four articles.

"These considerations cannot

escape the sagacity of the cabinet of the Hague, and the undersigned flatter themselves, that his majesty the king of the Netherlands, appreciating them, will be induced to sign the above-mentioned treaty as soon as the Belgian government

shall have agreed to it on its part.

"The undersigned have the honour to communicate to the plenipotentiary of his majesty the king of the Netherlands the annexed copy of the note of the same date, which they address to the plenipotentiary of his majesty the king of the Belgians, and in which his excellency will find a statement of the consequences of a refusal on the part of Belgium, in case of the acceptance of the proposals by Holland.

"If, however, the cabinet at

the Hague should reject the above conditions, while Belgium accepts them, the courts of the undersigned, though deploring their not having effected a final arrangement by the means of conciliation which they have employed, would, nevertheless, continue to watch in common over the maintenance of peace between the two parties.

"Having terminated the task assigned to them by their Courts, the undersigned have the honour to renew to M. Dedel the assurance of their consideration.

ANNEXED DRAUGHT OF A NOTE TO THE PLENIPOTENTIARY OF HIS MAJESTY THE KING OF THE BELGIANS.

"The undersigned, &c., having been engaged several months in a secret and confidential negotiation on the means of terminating, by a final arrangement the differences between Belgium and Holland, have maturely weighed the divers representations presented on the part of Belgium against the rigorous application of the stipulations of the treaty of the 15th of November, 1831, which fixed the conditions of the separation of Holland and Belgium; it has been found that part of those proposals are such as would give occasion to changes in the said treaty, and those stipulations have been modified in all the points respecting which such a mode of proceeding seemed to be justified by reason and equity.

"The undersigned now present the result of their labours to his majesty the king of the Belgians for his acceptance, and have the honour to submit to M. Van de Weyer, plenipotentiary of his said majesty, the following draughts of treaties, viz.—1. Between his ma-

jesty the king of the Belgians and his majesty the king of the Netherlands. 2. Between his majesty the king of the Belgians and the Five Courts, with an annexed paper, requesting him to communicate them to his government with the present note.

"The undersigned flatter themselves that the cabinet of Brussels will recognize the considerations of equity which have suggested these proposals, and that its plenipotentiaries will be authorized, without delay, to sign the treaty above-mentioned as soon as Holland shall have assented to it on its part.

"The plenipotentiary of his majesty the king of the Belgians will find annexed a copy of the note which the undersigned send under the same date to the plenipotentiary of his majesty the king of Holland, and in which they state the consequences of a refusal on the part of the cabinet of the Hague, in case their proposal is accepted by Belgium.

"If, however, the cabinet of

Brussels should reject the said proposals, while Holland accepts them, it will only remain for the Powers represented in the conference to decide on the means of enforcing the rights which the king of Holland will have required.

" Having finished the task assigned to them by their Courts, the undersigned have the honour to renew to the plenipotentiary of the king of the Belgians the assurance of their high consideration.

E, ANNEXED TO THE PROTOCOL OF THE 6TH OF DECEMBER, 1838.

" In the name of the holy and indivisible Trinity, his majesty the emperor of Austria, his majesty the king of the French, her majesty the queen of Great Britain, his majesty the king of Prussia, and his majesty the emperor of Russia, having taken into consideration the treaty concluded on the 15th of October, 1831, with his majesty the king of the Belgians and his majesty the king of the Netherlands, being induced to conclude a final arrangement on the basis of the twenty-four articles agreed to by the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the 19th of October, 1831, have named for their plenipotentiaries, &c., who, having exchanged their full powers, &c., have agreed and issued:—

" Art. 1. His majesty the king of the Netherlands engages immediately to convert into a treaty with the king of the Belgians the articles annexed to the present article, and resolved on by a joint agreement under the protection of the Courts of Austria, France,

Great Britain, Prussia, and Russia.

" Art. 2. Their majesties the emperor of Austria, the king of the French, the queen of Great Britain, the king of Prussia, and the emperor of Russia declared, that, by the preceding article, the articles in question are considered as being of the same force and value as if they were inserted word for word in the present article, and consequently that they are placed under the guarantee of their majesties.

" Art. 3. The union which, by virtue of the treaty of Vienna, of May 31, 1831, has existed between Holland and Belgium, is acknowledged by his majesty the king of the Netherlands to be dissolved.

" Art. 4. The present treaty shall be ratified at London; the ratification shall be exchanged there in six weeks, or sooner if possible. The exchange of these ratifications shall be made at the same time as those of the ratification of the treaty between Holland and Belgium.

F, ANNEXED TO THE PROTOCOL OF THE 6TH OF DECEMBER, 1838.

" In the name of the holy and indivisible Trinity, his majesty the king of the Netherlands and his majesty the king of the Belgians, taking into consideration the treaties concluded with their majesties the emperor of Austria, the king of

the French, the queen of Great Britain, the king of Prussia, and the emperor of Russia—viz., by his majesty the king of the Belgians on the 15th of November, 1831, and his majesty the king of the Netherlands this day, have

named for their plenipotentiaries, &c., who, &c., have agreed and signed:—

“Art. 1 to 24 (annexed B).

“Art. 25. In consequence of the stipulations of this treaty, there shall be peace and amity between the king of the Belgians on the one part, and the king of the Netherlands on the other, their respective heirs and successors, states, and subjects.

“Art. 26. The present treaty

shall be ratified at London, and the ratification exchanged in six weeks, or sooner, if possible. This exchange shall be made at the same time as that of the ratification of the treaty concluded this day between his majesty the king of the Netherlands and their majesties the emperor of Austria, the king of the French, the queen of Great Britain, the king of Prussia, and the emperor of Russia.”

**G, ANNEXED TO THE PROTOCOL OF THE 6TH OF DECEMBER, 1838.—
TREATY BETWEEN THE FIVE POWERS AND HIS MAJESTY THE
KING OF THE BELGIANS.**

This treaty merely declares, that, in consequence of the new treaties, that of the 15th of November, 1831, is no longer binding.

COMMERCIAL TREATY BETWEEN HOLLAND AND THE UNITED STATES.

The United States of America and his majesty the king of the Netherlands, anxious to regulate the commerce and navigation carried on between the two countries in their respective vessels, have, for that purpose, named plenipotentiaries; that is to say, the president of the United States has appointed John Forsyth, secretary of state of the said United States, and his Majesty the king of the Netherlands has appointed Jonkheer Evert Marius Adrian Martini, member of the body of nobles of the province of North Brabant, knight of the order of the Netherlands' Lion, and his chargé d'affaires in the United States, who, having exchanged their respective full powers, found in good and due form, have agreed to the following articles:—

Art. 1. Goods and merchandise,

whatever their origin may be, imported into, or exported from, the ports of the United States, from or to the ports of the Netherlands in Europe, in vessels of the Netherlands, shall pay no other or higher duties than shall be levied on the like goods and merchandise as imported or exported in national vessels. And, reciprocally, goods and merchandise, whatever their origin may be, imported into, or exported from, the ports of the Netherlands in Europe, from or to the ports of the United States, in vessels of the said States, shall pay no higher or other duties than shall be levied on the like goods and merchandise so imported or exported in national vessels. The bounties, drawbacks, or other favours of this nature, which may be granted in the States of either of the contracting parties on goods imported or exported in

[illegible]

ART. 2. - Neither party shall in-
terfere with the exercise of the other,
whether anything happens between
the two States and the parts of
the Continent in Europe, or
nothing is taken from any other
country, any matter of justice,
peace and tranquillity, or any
other, whatsoever, in your charge
or in your administration, which
and so it appears in that case
of justice and peace.

ART. 2. It is further agreed between the two undersigned parties, that the same shall have dominion of the whole island in the parts of the Netherlands in Europe, and especially the provinces and vicinities of the Netherlands in the west of the sea, where shall come to live all foreigners, natives and strangers, as may be seen and necessary for the true security of their possessions in regard one of the Netherlands above the which whether residing or passing is their substance.

[illegible]

regulations, be recognised as national vessels by the country to which they respectively belong.

Art. 3. In the case of shipwreck or damage at sea, each party shall grant to the vessels, whether public or private, of the other, the same assistance and protection which would be afforded to its own vessels in like cases.

Art. 6. The present treaty shall be in force for the term of ten years, commencing six weeks after the exchange of the ratifications, and further until the end of twelve months after either of the contracting parties shall have given to the other notice of its intention; each of the contracting parties reserving to itself the right of giving such notice to the other after the expiration of the term of ten years; and it is hereby mutually agreed, that in case of such notice, this treaty, and all the provisions thereof, shall, at the end of the said twelve months, altogether cease and determine.

Art. 7. The present treaty shall be ratified, and the ratification shall be exchanged at Washington within six months of its date, or sooner, if practicable.

In witness thereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Dane, in duplicate, at the city
of Washington, this 19th day of
January, in the year of our Lord
1909.

(LS) JOHN FORSYTH.
(LS) AD. MARTINI.

CHINA.

EDICT FROM THE IMPERIAL COMMISSIONER TO FOREIGNERS OF ALL NATIONS.

"Lin, high imperial commissioner of the Celestial Court, a director of the board of war, and governor of Hookwang, issues his commands to the foreigners of every nation, requiring of all full acquaintance with the tenour thereof.

"It is known that the foreign vessels which come for a reciprocal trade to Kwantung, have derived from that trade very large profits. This is evidenced by the facts, that whereas the vessels annually resorting hither were formerly reckoned hardly by tens, their number has of late years amounted to a hundred and several times ten; and that whatever commodities they may have brought, none have failed to find a full consumption; whatever they may have sought to purchase, never have they been unable readily to do so. Let them but ask themselves whether between heaven or earth, any place affording so advantageous a commercial mart is elsewhere to be found. It is because our great emperors, in their universal benevolence, have granted you commercial privileges, that you have been favoured with these advantages. Let our ports once be closed against you, and for what profits can your several nations any longer look? Yet more,—our tea and our rhubarb—seeing that, should you foreigners be deprived of them, you therein lose the means of preserving life—are without stint or grudge granted to you for exportation, year by year, beyond the

seas. Favours never have been greater!

"Are you grateful for these favours? You must then fear the laws, and in seeking profit for yourselves, must do no hurt to others. Why do you bring to our land the opium, which in your own lands is not made use of, by it defrauding men of their property and causing injury to their lives? I find that with this thing you have seduced and deluded the people of China for tens of years past; and countless are the unjust hoards that you have thus acquired. Such conduct rouses indignation in every human heart, and is utterly inexcusable in the eye of celestial reason.

"The prohibitions formerly enacted by the Celestial Court against opium were comparatively lax, and it was yet possible to smuggle the drug into various ports. Of this the great emperor having now heard, his wrath has been fearfully aroused, nor will it rest until the evil be utterly extirpated. Whoever among the people of this inner land deal in opium, or establish houses for the smoking of it, shall be instantly visited with the extreme penalty of the laws; and it is in contemplation to render capital also the crime of smoking the drug.

"Having come into the territory of the Celestial Court, you should pay obedience to its laws and statutes, equally with the natives of the land. I, the high commissioner, having my home

in the maritime province of Fuh-keen, and, consequently, having early had intimate acquaintance with all the arts and shifts of the outer foreigners, for this reason, have been honoured by the great emperor with the full powers and privileges of 'a high imperial commissioner, who, having repeatedly performed meritorious services, is sent to settle the affairs of the outer frontier.'

"Should I search closely into the offences of these foreigners in forcing for a number of years the sale of opium, they would be found already beyond the bounds of indulgence. But, reflecting that they are men from distant lands, and that they have not before been aware that the prohibition of opium is so severe, I cannot bear, in the present plain enforcement of the laws and restrictions, to cut them off without instructive admonition.

"I find that on board the warehousing vessels which you now have lying at anchor in the Lintin, and other offings, there are stored up several times ten thousand chests of opium, which it is your purpose and desire illicitly to dispose of by sale. You do not consider, however, the present severity of the measures in operation for seizure of it at the ports. Where will you again find any that will dare to give it escort? And similar measures for the seizure of it are in operation also in every province. Where else, then, will you yet find opportunity of disposing of it? At the present time the dealings in opium are brought utterly to a stand, and all men are convinced that it is a noxious poison. Why will you be at the pains, then, of laying it up on board your foreign store-ships, and of keeping them

long anchored on the face of the open sea, not only spending to no purpose your labour and your wealth, but exposed also to unforeseen dangers from storms or from fire.

"I proceed to issue my commands. When these commands reach the said foreign merchants, let them with all haste pay obedience thereto. Let them deliver up to government every particle of the opium on board their store-ships. Let it be ascertained by the Hong merchants, who are the parties so delivering it up, and what number of chests, as also what total quantity in cattles and taels, is delivered up under each name. Let these particulars be brought together in a clear tabular form, and be presented to government, in order that the opium may all be received in plain conformity thereto, that it may be burned and destroyed, and that thus the evil may be entirely extirpated. There must not be the smallest atom concealed or withheld.

"At the same time let these foreigners give a bond, written jointly in the foreign and Chinese languages, making a declaration to this effect:—'That their vessels which shall hereafter resort hither will never again dare to bring opium with them; and that should any be brought, as soon as discovery shall be made of it, the goods shall be forfeited to government, and the parties shall suffer the extreme penalties of the law; and that such punishment will be willingly submitted to.'

"I have heard that you foreigners are used to attach great importance to the words 'good faith.' If, then, you will really do as I, the high commissioner, have commanded, will deliver up every particle of

the opium that is already here, and will stay altogether its future introduction, as this will prove also that you are capable of feeling contrition for your offences, and of entertaining a salutary dread of punishment, the past may yet be left unnoticed. I, the high commissioner, will in that case, in conjunction with the governor and lieutenant-governor, address the throne, imploring the great emperor to vouchsafe extraordinary favour, and not alone to remit the punishment of your past errors, but also, as we will further request, to devise some mode of bestowing on you his imperial rewards, as an encouragement of the spirit of contrition and wholesome dread thus manifested by you. After this you will continue to enjoy the advantages of commercial intercourse; and as you will not lose the character of being 'good foreigners,' and will be enabled to acquire profits and get wealth by an honest trade, will you not indeed stand in a most honorable position?

"If, however, you obstinately adhere to your folly, and refuse to awake—if you think to make up a tale covering over your illicit dealings, or to set up as a pretext that the opium is brought by foreign seamen, and the foreign merchants have nothing to do with it—or to pretend craftily that you will carry it back to your countries, or will throw it into the sea—or to take occasion to go to other provinces in search of a door of consumption—or to stifle inquiry by delivering up only one or two-tenths of the whole quantity;—in any of these cases it will be evident that you retain a spirit of contumacy and disobedience, that you uphold vice and will not reform. Then, al-

though it is the maxim of the Celestial Court to treat with tenderness and great mildness men from afar, yet, as it cannot suffer them to indulge in scornful and contemptuous trifling with it, it will become requisite to comprehend you also in the severe course of punishment prescribed by the new law.

"On this occasion, I, the high commissioner, having come from the capital, have personally received the sacred commands, that wherever a law exists it is to be fully enforced; and as I have brought these full powers and privileges, enabling me to perform whatever seems to me right—powers with which those ordinarily given for inquiring and acting in regard to other matters are by no means comparable, so long as the opium traffic remains unextinguished, so long will I delay my return. I swear that I will progress with this matter from its beginning to its ending, and that not a thought of stopping half way shall for a moment be indulged.

"Furthermore, observing the present condition of the popular mind, I find so universal a spirit of indignation aroused, that should you foreigners remain dead to a sense of contrition and amendment, and continue to make gain your sole object, there will not only be arrayed against you the martial terrors and powerful energies of our naval and military forces—it will be but necessary to call on the able-bodies of the people (the militia or *posse comitatus*), and these alone will be more than adequate to the placing all your lives within my power. Besides, either by the temporary stoppage of your trade, or by the permanent closing of the ports against you,

what difficulty can there be in effectually cutting off your intercourse? Our central empire, comprising a territory of many thousands of miles, and possessing in rich abundance all the products of the ground, has no benefit to derive from the purchase of your foreign commodities, and you may therefore well fear, that from the moment such measures are taken the livelihood of your several nations must come to an end. You have travelled so far to conduct your commercial business, how is it that you are not yet alive to the great difference between the condition of vigorous exertion and that of easy repose—the wide difference between the power of the few and the power of the many?

“As to those crafty foreigners who, residing in the foreign factories, have been in the habit of dealing in opium, I, the high commissioner, have early been provided with a list of them by name. At the same time, those good foreigners who have not sold opium, must also not fail to be distinguished. Such of them as will point out their depraved fellow-foreigners, will compel them to deliver

up their opium, and will step forth among the foremost to give the required bonds, these shall be regarded as the good foreigners; and I, the high commissioner, will at once for their encouragement reward them liberally. It rests with yourselves alone to choose whether you will have weal or wo, honour or disgrace.

“I am now about to command the Hong merchants to proceed to your factories to instruct and admonish you. A term of three days is prescribed for an address to be sent in reply to me. And at the same time let your duly attested and faithful bonds be given, waiting for me, in conjunction with the governor and lieutenant-governor, to appoint a time for the opium to be delivered up. Do not indulge in idle expectations, or seek to postpone matters, deferring to repent until its lateness render it ineffectual.—A special edict.”

Taoukwang, 19th year, 2d month, 4th day,
(March 18, 1839.)

J. R. MORRISON,
Chinese Secretary and Interpreter
to the Superintendents of British
Trade in China. •

(True Translation.)

EDICT.

“Yu, Hoppo, &c, proclaims to the Hong merchants for their full information.

“Pending the stay of the commissioner in Canton, and while the consequences of his investigation, both as to foreigners and natives, are yet uncertain, all foreign residents are forbidden to go down to Macao. I therefore issue this edict to the Hong merchants. On re-

ceipt of it let them instantly communicate to the foreigners its purport for their information and obedience. For the present they must not petition for leave to go down to Macao.

“Do not oppose—a special edict.
“S. FRANK.”

Chinese Interpreter, G. C. C.
(March 19, 1839.)

TRADE WITH CHINA.

PUBLIC NOTICE TO HER BRITANNIC MAJESTY'S SUBJECTS.

THE disregard of formal offers upon the part of her majesty's officer to adjust all difficulties by the fulfilment of the imperial will, the unjustifiable imprisonment of the whole foreign community in Canton, the still more wanton protraction of that captivity, and the forced surrender of property, of which the incidents have been the utmost public encouragement, direct and indirect, upon the one hand, and violent public spoliation on the other—such are the chief facts which have sustained the declaration put forward in the notice of the chief superintendent of the trade of British subjects, dated at Macao on the 23d day of March last, that he was without confidence in the justice and moderation of the provincial government.

Correction remaining to be made for the circumstance that these later deeds have been perpetrated mainly under the authority of the imperial commissioner, he is also to declare, that he is without confidence in the justice and moderation of the said imperial commissioner.

Acting on the behalf of her majesty's government in a momentous emergency, he has in the first place to signify, that the demand he recently made to her majesty's subjects for the surrender of British-owned opium under their control had no special reference to the circumstances of that property. But (beyond the actual pressure of necessity) that demand was founded on the principle that these violent compulsory measures being utterly unjust *per se*, and of general appli-

cation for the forced surrender of any other property, or of human life, or for the constraint of any unsuitable terms or concessions, it became highly necessary to vest and leave the right of exacting effectual security, and full indemnity for every loss, directly in the queen. These outrages have already temporarily cast upon the British crown immense public liabilities; and it is incumbent upon him at this moment of release to fix the earliest period for removal from a situation of total insecurity, and for the termination of all risk of similar responsibility on the part of her majesty's government.

He is sensible, too, that he could not swerve from the purposes now to be declared without extreme danger to vast public claims already pending, and to general and permanent interests of highest moment.

Thus situated, then, and once more referring to his public notice dated at Macao on the 23d day of March last, he has again to give notice to, and enjoin, all her majesty's subjects to make preparation for quitting Canton before, or at the same time with, her majesty's establishment; which departure will take place as soon as the chief superintendant has completed his public obligations to this government. For the general convenience he will afford the best information in his power from time to time concerning the probable period of that event.

And he has further to give notice, that British subjects, or others,

thinking fit to make shipments of property on British account on board of British or any other foreign shipping actually in this river, will be pleased to regulate their proceedings in these respects, upon the understanding that such shipments must be made at their personal risk and responsibility after the date of this notice.

And he again enjoins all her majesty's subjects in Canton to prepare sealed declarations and lists of all claims whatever against Chinese subjects, to be adjusted as nearly as may be to the period of their respective retirements from Canton before him, or at the same time with him.

And whilst it is specially to be understood that the proof of British property, and value of all such claims handed in to him before his departure, will be determined upon principles and in a manner hereafter to be defined by her majesty's government, he has to recommend, with a view to uniformity and general clearness, that claims for British property left behind should be drawn up as far as may be practicable on invoice cost.

And he has now to give notice to, and enjoin, all her majesty's subjects, either actually in China, or hereafter arriving, merchants, supracargoes, commanders, commanding officers of ships, seamen, or others, having control over, or serving on board of, British ships or vessels, bound to the port of Canton, not to be requiring, aiding, or assisting, in any way in the bringing in to the said port of Canton any such British ship or vessel, to the great danger of British life, liberty, and property, and the prejudice of the interests and just claims of the crown, till a declaration shall be published un-

der his hand and seal of office, to the effect that such bringing in of British shipping, or of British property in foreign shipping, is safe in the premises.

And the chief superintendent making these solemn injunctions for the safety of British life, liberty, and property, and in the protection of the interests and just claims of the British crown, reserves to her majesty's government in the most complete manner the power to cancel and disregard all future claims whatever, on the part of her majesty's subjects or others, preferring such claims on account of British property, either left behind, or to be brought in, if any such British subjects or others preferring such claims shall disregard these injunctions now put forward, respecting the keeping out of British shipping and property, till the declaration aforesaid shall be duly published.

And he has once more to warn her majesty's subjects in anxious terms, that such sudden and strong measures as it may be found necessary to adopt on the part of competent authorities, for the honour of the British crown, cannot be prejudiced by their continued residence in Canton, beyond the period of his own stay, upon their own responsibilities, and in spite of the solemn injunctions of her majesty's officer.

Given under my hand and seal of office at Canton, in China, this 22d day of May, 1839,

CHARLES ELLIOT,
Chief Superintendent of the Trade
of British Subjects in China.

EDWARD ELSLIE,
Secretary and Treasurer to the
Superintendents.

(True Copy.)

HATTI SHERIFF, READ BY RESCHID PASHA ON NOVEMBER 8D, 1839, IN PRESENCE OF ALL THE MINISTERS, ULEMAS, PASHAS, AND DEPUTATIONS OF NATIONS, SECTS, AND RACES SUBJECT TO THE SULTAN.

ALL the world knows that, in the first times of the Ottoman monarchy, the precepts of the Koran and the laws of the empire were a rule ever honoured; in consequence of which the empire increased in force and grandeur, and all its subjects, without exception, acquired a greater degree of ease and prosperity. But since a century and a half, a succession of accidents and different causes have led to people's ceasing to conform to the sacred code of laws, and to the rules which flow from it. Thus the internal prosperity and force became changed to weakness and poverty. An empire loses its stability in ceasing to observe its laws.

These considerations are always present to our mind; and since the day of our accession to the throne, the thoughts of the public good, of the amelioration of the provinces, and the alleviation of the people's burthens have occupied me solely. If one considers the geographical position of the Ottoman provinces, the fertility of their soil, the aptitude and intelligence of their inhabitants, one remains convinced that, by seeking out efficacious remedies, these may be obtained and put in practice within the space of a few years. So that, full of confidence in the succour of the Most High, and relying on the intercession of the prophet, we judge fit to seek by new institutions to procure for the provinces of the empire the benefits of a good administration. These institutions relate principally to

three things; which are—1. Guarantees which insure to our subjects the security of honour and fortune. 2. A regular mode of fixing and levying imposts. 3. A regular mode of levying soldiers and fixing the duration of their service.

Are not, in fact, life and honour the most precious benefits which exist? What man, no matter how averse to violence be his character, could refrain from recurring to violence if his life and honour be threatened? If, on the contrary, these be secured, a man will not quit the paths of loyalty and fidelity. If such security be absent, every man remains cold to the voice of either prince or country. No one thinks of the public fortune, being too anxious about his own.

It is most important to fix the rate of taxes. The state is obliged to have recourse to them for the defence of its territories. Fortunately for the people, some time back they have been delivered from the vexatious system of monopolies—those bad sources of revenue. As bad a source of revenue still subsists, in the venal concession of offices. By this system the civil and local administration of each region is delivered up to the arbitrary will of one man; that is to the most violent and greedy passions; for if such farmer of the revenue be not superexcellent, he can have no guide but his interest. It is henceforth requisite that each Ottoman subject should pay a certain sum of taxes, proportioned to his fortune and faculties. It is also requisite that special laws

should fix and limit the expenses of the military and naval force.

Although the defence of the country is an important and universal duty, and although all classes of the population must furnish soldiers for the purpose, still there ought to be laws to fix the contingent of each locality, and limit to four or five years the term of military service. It is dealing a mortal blow to agriculture, as well as an injustice in itself, to take more hands from districts than they can fairly spare; and it is to reduce soldiers to despair, and to depopulate the country, to retain them all their life in service.

Without such laws as these, of which the necessity is felt, there can be neither empire, nor force, nor riches, nor happiness, nor tranquillity. All these blessings may be expected from new laws. Henceforth, moreover, every accused person shall be publicly tried, according to the divine law, after act and examination; and no power shall secretly or otherwise cause any one to perish by poison, or by any other means, until a regular judgment has been passed. No one shall hurt another's honour; and each shall possess his property with liberty, and in fear of no one. The innocent heirs of a condemned person shall inherit his property, nor shall the goods of the criminal be confiscated.

These imperial concessions extend to all our subjects, of every religion without exception. Perfect security is accorded to all the inhabitants of the empire in life, honour, and fortune, as wills the text of our law.

With regard to the other points,

which must be regulated by enlightened opinions, our council of justice, augmented by new members, and by the adjunction of the ministers and nobility of the empire, shall assemble in order to prepare laws for the security of life and fortune, and the regulation of imposts. Each person in these assemblies will state freely his ideas, and offer his advice.

The laws respecting military service shall be debated in a military council at the palace of the seraskier. When the law is prepared, we will give it our sanction, and write with the imperial hand a heading.

The institutions being to cause religion and government to flourish, we will permit nothing contrary to our promise. We will have these laws placed in the chamber of the prophet's mantle, and will then swear to them in the presence of the ulemas and the *grandees*, making *grandees* and ulemas also swear. Whoever shall infringe these laws shall be punished with the legal penalty; and a penal code shall be drawn up for the purpose.

All venality and traffic of offices shall be abolished, as the great cause of the decadence of the empire.

These dispositions, being a revocation of old usages, shall be published at Constantinople and throughout our empire, and communicated officially to the ambassadors resident there.

May the High God keep you in his guard, and malediction on those who shall act contrary to these institutions.

TREATY OF COMMERCE BETWEEN THE SUBLIME PORTE AND GREAT BRITAIN.

"Art. 1. All the privileges granted by existing treaties to British subjects and vessels are to be maintained in full vigour, unless modified by the present treaty, and they are to have the same advantages as those actually enjoyed or to be enjoyed by the subjects and vessels of any other nation.

"2. Permission is granted to the subjects of her Britannic majesty to rent and purchase in all parts of the Ottoman empire, without exception, the raw and manufactured products of the country, and to export them without payment of any duty; since the Porte declares that it abolishes spontaneously all the monopolies that weigh upon the products of agriculture and other objects, with the exception of those already farmed out by the government. In order that this arrangement shall not be violated or in any manner eluded, the Ottoman Porte obliges itself to make this regulation compulsory on all public functionaries under severe penalties; and in the event of a British subject being injured in his rights by a functionary of the Porte, this power undertakes to make him the reparation due.

"3. On their side British merchants are bound to pay the same taxes as Turkish subjects upon all purchases and sales of objects

intended for internal consumption.

"4. Every British merchant or his commissioner shall have the faculty of transporting the goods which he shall wish to export to the place he shall judge most fit without being obliged to pay the duties except at the moment of exportation.

"5. The authorization for the passage of English vessels through the Dardanelles and into the Black Sea shall be granted in such a manner that these vessels shall obtain every facility and shall experience no damage.

"6. These arrangements shall receive the assent of the Porte in all the parts of its empire, in Europe and Asia, as well as in the governments of Africa and Egypt.

"7. The Porte declares that it is ready to grant freedom of trade in its states to any other power according to the principles of this treaty.

"8. To obviate all mistakes and all loss of time which might be caused by the regulating of the price of goods imported by British merchants into the states of the Ottoman empire according to the custom established between the two countries, the two powers are to name every ten years commissioners for fixing the tariff."

APPENDIX TO THE TREATY OF COMMERCE BETWEEN THE SUBLIME PORTE AND GREAT BRITAIN.

Some difficulties having arisen between their excellencies the plenipotentiaries of the Sublime Porte and the ambassador of England

with regard to the articles concerning the import and transit trades, the two contracting parties have agreed to sign the above treaty,

without embodying therein the clauses relative to those objects. If those clauses assented to by the Ottoman government shall be at a future day approved by the British government, to whose approbation they are to be submitted, it is stipulated that they shall be considered as forming an integral part of the treaty.

Art. 1. All goods and merchandise whatsoever, the growth of the soil, or the produce of the manufactures of the united kingdom of Great Britain and Ireland, as well as of the countries belonging to it, and the property of British merchants, as also the goods and merchandise arriving in English vessels, or from any other country by land or by sea, shall be admitted as hitherto, without any exception, into all parts of the Ottoman empire, on paying a duty of 3 per cent. *ad valorem*. In lieu of all the duties which are now levied in the interior on said goods and merchandise, the merchants by whom they are imported shall be liable to an additional duty of 2 per cent., whether they sell them at the place of their arrival, or convey them for sale into the interior. No other duty, no matter under what title, shall be required of the vendor or purchaser, nor of the individual who, having brought them, may wish to send them abroad. The British merchants who, after paying the duty of 3 per cent. on goods imported into one of the harbours of the Levant, may forward them to another harbour without paying any other duty; but it is understood, that when they shall sell them in the places of their arrival, or when they send them thence into the interior, they must pay the additional duty of 2 per cent. The

British government declares that the terms employed in this article, as well as in all the others, are to be interpreted in their simple, natural, and real acceptation, and undertakes not to interfere with the rights of the internal administration of the Ottoman government, which should not be detrimental to British merchants or to their property.

Art. 2. British merchants, or their agents, shall be at liberty to purchase, in all parts of Turkey, all goods and merchandise imported from foreign countries. If perchance those articles had only paid the import duty of 3 per cent., they shall be liable to the additional duty of 2 per cent. previous to their being conveyed for sale into the interior. But when they shall afterwards have been sold in the interior, or sent to another country, they shall not be subjected to the payment of any other duty. Finally, it is to be well understood, that if the two duties of 3 and 2 per cent., laid as import duties, have been integrally paid on those articles, British merchants shall be free to sell them or send them to another country, without paying any duty.

Art. 3. Every time that goods and merchandise, the growth of the soil, or the produce of the manufactures of England, or of the countries under her dominion, and belonging to British merchants, shall pass through the straits of the White Sea or Black Sea, or the Channel of Constantinople, whether they be on board the vessel which brought them, or in that on board of which they shall have been transferred, whether they be intended for another country and put on shore to be afterwards re-embarked, those goods and mer-

chandise shall pay no duty whatever. But all goods and merchandise imported into Turkey, for the purpose of being carried by land to a foreign country, across the Ottoman empire, and the articles of importation which a merchant

may send in the same manner to another country, to sell them, after keeping them in his possession, shall only pay a duty of 3 per cent., and shall not be liable to any other kind of duty.

UNITED STATES.

THE PRESIDENT'S MESSAGE.

Fellow Citizens of the Senate, and House of Representatives.

I regret that I cannot on this occasion congratulate you that the past year has been one of unalloyed prosperity. The ravages of fire and disease have painfully afflicted otherwise flourishing portions of our country; and serious embarrassments yet derange the trade of many of our cities. But, notwithstanding these adverse circumstances, that general prosperity which has been heretofore so bountifully bestowed upon us by the author of all good, still continues to call for our warmest gratitude. Especially have we reason to rejoice in the exuberant harvests which have lavishly recompensed well-directed industry, and given to it that sure reward which is vainly sought in visionary speculations. I cannot, indeed, view without peculiar satisfaction the evidences afforded by the past season of the benefits that spring from the steady devotion of the husbandman to his honourable pursuit. No means of individual comfort is more certain, and no source of national prosperity is so sure. Nothing can compensate a people for a dependence upon others for the bread they eat; and that cheerful abundance on which the

happiness of every one so much depends is to be looked for no where with such sure reliance as in the industry of the agriculturist and the bounties of the earth.

With foreign countries our relations exhibit the same favourable aspect which was presented in my last annual message, and afford continual proof of the wisdom of the pacific, just, and forbearing policy adopted by the first administration of the federal government, and pursued by its successors. The extraordinary powers vested in me by an act of congress for the defence of the country in an emergency, considered so far probable as to require that the executive should possess ample means to meet it, have not been exerted. They have, therefore, been attended with no other result than to increase, by the confidence reposed in me, my obligations to maintain, with religious exactness, the cardinal principles that govern our intercourse with other nations. Happily, in our pending questions with Great Britain, out of which this unusual grant of authority arose, nothing has occurred to require its exertion; and, as it is about to return to the legislature, I trust that no future necessity

may call for its exercise by them or its delegation to another department of the government.

For the settlement of our north-eastern boundary, the proposition promised by Great Britain for a commission of exploration and survey has been received, and a counter-project, including also a provision for the certain and final adjustment of the limits in dispute, is now before the British government for its consideration. A just regard to the delicate state of this question, and a proper respect for the natural impatience of the state of Maine, not less than a conviction that this negotiation has been already protracted longer than is prudent on the part of either government, have led me to believe that the present favourable moment should on no account be suffered to pass without putting the question for ever at rest. I feel confident that the government of her Britannic majesty will take the same view of this subject, as I am persuaded it is governed by desires equally strong and sincere for the amicable termination of the controversy.

To the intrinsic difficulties of questions of boundary lines, especially those described in regions unoccupied, and but partially known, is to be added in our country the embarrassment necessarily arising out of our constitution, by which the general government is made the organ of negotiating and deciding upon the particular interests of the states on whose frontiers these lines are to be traced. To avoid another controversy in which a state government might rightfully claim to have her wishes consulted, previously to the conclusion of conventional arrangements concerning

her rights of jurisdiction or territory, I have thought it necessary to call the attention of the government of Great Britain to another portion of our conterminous dominion, of which the division still remains to be adjusted. I refer to the line from the entrance of Lake Superior to the most north-western point of the Lake of the Woods, stipulations for the settlement of which are to be found in the seventh article of the treaty of Ghent. The commissioners appointed under that article by the two governments, having differed in their opinions, made separate reports, according to its stipulations, upon the points of disagreement, and these differences are now to be submitted to the arbitration of some friendly sovereign or state. The disputed points should be settled, and the line designated, before the territorial government of which it is one of the boundaries takes its place in the Union as a state; and I rely upon the cordial co-operation of the British government to effect that object.

There is every reason to believe, that disturbances like those which lately agitated the neighbouring British provinces will not again prove the sources of border contentions, or interpose obstacles to the continuance of that good understanding which it is the mutual interest of Great Britain and the United States to preserve and maintain.

Within the provinces themselves tranquillity is restored, and on our frontier that misguided sympathy in favour of what was presumed to be a general effort in behalf of popular rights, and which in some instances misled a few of our more inexperienced citizens,

has subsided into a rational conviction strongly opposed to all intermeddling with the internal affairs of our neighbours. The people of the United States feel, as it is hoped they always will, a warm solicitude for the success of all who are sincerely endeavouring to improve the political condition of mankind. This generous feeling they cherish towards the most distant nations; and it was natural, therefore, that it should be awakened with more than common warmth in behalf of their immediate neighbours. But it does not belong to their character, as a community, to seek the gratification of those feelings in acts which violate their duty as citizens, endanger the peace of their country, and tend to bring upon it the stain of a violated faith towards foreign nations. If, zealous to confer benefits on others, they appear for a moment to lose sight of the permanent obligations imposed upon them as citizens, they are seldom long misled. From all the information I receive, confirmed to some extent by personal observations, I am satisfied that no one can now hope to engage in such enterprises without encountering public indignation, in addition to the severest penalties of the law.

Recent information also leads me to hope that the emigrants from her majesty's provinces, who have sought refuge within our boundaries, are disposed to become peaceable residents, and to abstain from all attempts to endanger the peace of the country which has afforded them an asylum. On a review of the occurrences on both sides of the line, it is satisfactory to reflect, that in almost every complaint against our country the offence may be traced to emigrants

from the provinces who have sought refuge here. In the few instances in which they were aided by citizens of the United States, the acts of these misguided men were not only in direct contravention of the laws and well-known wishes of their own government, but met with the decided disapprobation of the people of the United States.

I regret to state the appearance of a different spirit among her majesty's subjects in the Canadas. The sentiments of hostility to our people and institutions, which have been so frequently expressed there, and the disregard of our rights which have been manifested on some occasions, have, I am sorry to say, been applauded and encouraged by the people, and even by some of the subordinate local authorities of the provinces. The chief officers in Canada fortunately have not entertained the same feeling, and have probably prevented excesses that must have been fatal to the peace of the two countries.

I look forward anxiously to a period when all the transactions which have grown out of this condition of our affairs, and which have been made the subjects of complaint and remonstrance by the two governments respectively, shall be fully examined, and the proper satisfaction given where it is due from either side.

Nothing has occurred to disturb the harmony of our intercourse with Austria, Belgium, Denmark, France, Naples, Portugal, Prussia, Russia, or Sweden. The internal state of Spain has sensibly improved, and a well-grounded hope exists that the return of peace will restore to the people of that country their former prosperity, and enable the government to fulfil all its obligations at home and abroad.

The government of Portugal, I have the satisfaction to state, has paid in full the eleventh and last instalment due to our citizens for the claims embraced in the settlement made with it on the 3d of March, 1837.

I lay before you treaties of commerce negotiated with the kings of Sardinia and of the Netherlands, the ratifications of which have been exchanged since the adjournment of congress. The liberal principles of these treaties will recommend them to your approbation. That with Sardinia is the first treaty of commerce formed by that kingdom, and it will, I trust, answer the expectations of the present sovereign, by aiding the development of the resources of his country, and stimulating the enterprise of his people. That with the Netherlands happily terminates a long-existing subject of dispute, and removes from our future commercial intercourse all apprehension of embarrassment. The king of the Netherlands has also, in further illustration of his character for justice, and of his desire to remove every cause of dissatisfaction, made compensation for an American vessel captured in 1800 by a French privateer, and carried into Curacoa, where the proceeds were appropriated to the use of the colony, then, and for a short time after, under the dominion of Holland.

The death of the late sultan has produced no alteration in our relations with Turkey. Our newly appointed minister resident has reached Constantinople, and I have received assurances from the present ruler that the obligations of our treaty and those of friendship will be fulfilled by himself in the same spirit that actuated his illustrious father.

I regret to be obliged to inform you that no convention for the settlement of the claims of our citizens upon Mexico has yet been ratified by the government of that country. The first convention for that purpose was not presented by the president of Mexico for the approbation of its congress, from a belief that the king of Prussia, the arbitrator in case of disagreement in the joint commission to be appointed by the United States and Mexico, would not consent to take upon himself that friendly office. Although not entirely satisfied with the course pursued by Mexico, I felt no hesitation in receiving in the most conciliating spirit the explanation offered, and also cheerfully consented to a new convention, in order to arrange the payments proposed to be made to our citizens in a manner which, while equally just to them, was deemed less onerous and inconvenient to the Mexican government. Relying confidently upon the intentions of that government, Mr. Ellis was directed to repair to Mexico, and diplomatic intercourse has been resumed between the two countries. The new convention has, he informs us, been recently submitted by the president of that republic to its congress, under circumstances which promise a speedy ratification—a result which I cannot allow myself to doubt.

Instructions have been given to the commissioner of the United States under our convention with Texas for the demarcation of the line which separates us from that republic. The commissioners of both governments met in New Orleans in August last. The joint commission was organised, and adjourned to convene at the same place on the 12th of October. It

is presumed to be now in the performance of its duties.

The new government of Texas has shown its desire to cultivate friendly relations with us by a prompt reparation for injuries complained of in the cases of two vessels of the United States.

With Central America a convention has been concluded for the renewal of its former treaty with the United States. This was not ratified before the departure of our late chargé d'affaires from that country, and the copy brought by him was not received before the adjournment of the senate at the last session. In the meanwhile, the period limited for the exchange of ratifications having expired, I deemed it expedient, in consequence of the death of the chargé d'affaires, to send a special agent to Central America, to close the affairs of our mission there, and to arrange with the government an extension of the time for the exchange of ratifications.

The commission created by the states which formerly composed the republic of Colombia, for adjusting the claims against that government, has, by a very unexpected construction of the treaty under which it acts, decided that no provision was made for those claims of citizens of the United States which arose from captures by Colombian privateers, and were adjudged against the claimants in the judicial tribunals. This decision will compel the United States to apply to the several governments formerly united for redress. With all these—New Grenada, Venezuela, and Ecuador, a perfectly good understanding exists. Our treaty with Venezuela is faithfully carried into execution, and that country, in the enjoyment of tranquillity, is gra-

dually advancing in prosperity under the guidance of its present distinguished president, general Paez. With Ecuador a liberal commercial convention has lately been concluded, which will be transmitted to the senate at an early day.

With the great American empire of Brasil our relations continue unchanged, as does our friendly intercourse with the other governments of South America—the Argentine republic, and the republics of Uruguay, Chili, Peru, and Bolivia. The dissolution of the Peru-Bolivian confederation may occasion some temporary inconvenience to our citizens in that quarter, but the obligations on the new governments which have arisen out of that confederation to observe its treaty stipulations will no doubt be soon understood, and it is presumed that no indisposition will exist to fulfil those which it contracted with the United States.

The financial operations of the government during the present year have, I am happy to say, been very successful. The difficulties under which the treasury department has laboured from known defects in the existing laws relative to the safe keeping of the public monies, aggravated by the suspension of specie payments by several of the banks holding public deposits, or indebted to public officers for notes received in payment of public dues, have been surmounted to a very gratifying extent. The large current expenditures have been punctually met, and the faith of the government in all its pecuniary concerns has been scrupulously maintained.

The 19,000,000 of treasury notes authorised by the act of congress of 1837, and the modifi-

cations thereof, with a view to the indulgence of merchants on their duty bonds, and of the deposit banks in the payment of public monies held by them, have been so punctually redeemed as to leave less than the original 10,000,000 outstanding at any one time, and the whole amount unredeemed now falls short of 3,000,000. Of these the chief portion is not due till next year, and the whole would have been already extinguished could the treasury have realised the payments due to it from the banks. If those due from them during the next year shall be punctually made, and if congress shall keep the appropriations within the estimates, there is every reason to believe that all the outstanding treasury notes can be redeemed, and the ordinary expenses defrayed, without imposing on the people any additional burden either of loans or increased taxes.

To avoid this, and to keep the expenditures within reasonable bounds, is a duty, second only in importance to the preservation of our national character and the protection of our citizens in their civil and political rights. The creation, in time of peace, of a debt likely to become permanent, is an evil for which there is no equivalent. The rapidity with which many of the states are apparently approaching to this condition, admonishes us of our own duties in a manner too impressive to be disregarded. One, not the least important, is to keep the federal government always in a condition to discharge, with ease and vigour, its highest functions, should their exercise be required by any sudden conjuncture of public affairs—a condition to which we are always exposed, and which

may occur when it is least expected. To this end, it is indispensable that its finances should be untrammelled, and its resources, as far as practicable, unincumbered. No circumstance could present greater obstacles to the accomplishment of these vitally important objects than the creation of an onerous national debt. Our own experience, and also that of other nations, have demonstrated the unavoidable and fearful rapidity with which a public debt is increased when the government has once surrendered itself to the ruinous practice of supplying its supposed necessities by new loans. The struggle, therefore, on our part, to be successful, must be made at the threshold. To make our efforts effective, severe economy is necessary. This is the surest provision for the national welfare; and it is, at the same time, the best preservative of the principles on which our institutions rest. Simplicity and economy in the affairs of state have never failed to chasten and invigorate republican principles, while these have been as surely subverted by national prodigality, under whatever specious pretexts it may have been introduced or fostered.

These considerations cannot be lost upon a people who have never been inattentive to the effect of their policy upon the institutions they have created for themselves; but at the present moment their force is augmented by the necessity which a decreasing revenue must impose. The check lately given to importations of articles subject to duties, the derangement in the operations of internal trade, and especially the reduction gradually taking place in our tariff of duties, all tend to lessen our re-

ceipts; indeed, it is probable that the diminution resulting from the last cause alone will not fall short of \$5,000,000 in the year 1842, as the final reduction of all duties to 20 per cent. then takes effect. The whole revenue then accruing from the customs, and from the sales of public lands, if not more, will undoubtedly be wanted to defray the necessary expenses of the government under the most prudent administration of its affairs. These are circumstances that impose the necessity of rigid economy, and require its prompt and constant exercise. With the legislature rest the power and duty of so adjusting the public expenditure as to promote this end. By the provisions of the constitution, it is only in consequence of appropriations made by law that money can be drawn from the treasury; no instance has occurred since the establishment of the government in which the executive, though a component part of the legislative power, has interposed an objection to an appropriation bill on the sole ground of its extravagance. His duty in this respect has been considered fulfilled by requesting such appropriations only as the public service may be reasonably expected to require. In the present earnest direction of the public mind towards this subject both the executive and the legislature have evidence of the strict responsibility to which they will be held; and, while I am conscious of my own anxious efforts to perform with fidelity this portion of my public functions, it is a satisfaction to me to be able to count on a cordial co-operation from you.

At the time I entered upon my present duties, our ordinary disbursements, without including

those on account of the public debt, the post-office, and the trust funds in charge of the government, had been largely increased by appropriations for the removal of the Indians, for repelling Indian hostilities, and for other less urgent expenses which grew out of an overflowing treasury. Independent of the redemption of the public debt and trusts, the gross expenditure of \$17,000,000 and \$18,000,000 in 1834 and 1835 had by these causes swelled to \$29,000,000 in 1836; and the appropriations for 1837, made previously to the 4th of March, caused the expenditure to rise to the very large amount of \$33,000,000. We were enabled during the year 1838, notwithstanding the continuance of our Indian embarrassments, somewhat to reduce this amount; and that for the present year, 1839, will not, in all probability, exceed \$26,000,000, or \$6,000,000 less than it was last year. With a determination, so far as depends on me, to continue this reduction, I have directed the estimates for 1840 to be subjected to the severest scrutiny, and to be limited to the absolute requirements of the public service. They will be found less than the expenditures of 1839 by over \$5,000,000.

The precautionary measures which will be recommended by the secretary of the treasury to protect faithfully the public credit under the fluctuations and contingencies to which our receipts and expenditures are exposed, and especially in a commercial crisis like the present, are commended to your early attention.

On a former occasion your attention was invited to various considerations in support of a pre-

emption law in behalf of the settlers on the public lands; and also of a law graduating the prices of such lands as had long been in the market unsold, in consequence of their inferior quality. The execution of the act which was passed on the first subject has been attended with the happiest consequences, in quieting titles, and securing improvements to the industrious; and it has also, to a very great extent, been exempt from the frauds which were practised under previous pre-emption laws. It has, at the same time, as was anticipated, contributed liberally during the present year to the receipts of the treasury.

The passage of a graduation law, with the guards before recommended, would also, I am persuaded, add considerably to the revenue for several years, and prove in other respects just and beneficial.

Your early consideration of the subject is, therefore, once more earnestly requested.

The present condition of the defence of our principal seaports and navy yards, as represented by the accompanying report of the secretary at war, calls for the early and serious attention of congress; and, as connecting itself intimately with this subject, I cannot recommend too strongly to your consideration the plan submitted by that officer for the organization of the militia of the United States.

In conformity with the expressed wishes of congress, an attempt was made in the spring to terminate the Florida war by negotiation. It is to be regretted that these humane intentions should have been frustrated, and that the effort to bring these unhappy difficulties to a satisfactory conclusion should have failed. But, after entering into

solemn engagements with the commanding general, the Indians, without any provocation, recommenced their acts of treachery and murder. The renewal of hostilities in that territory renders it necessary that I should recommend to your favourable consideration the plan which will be submitted to you by the secretary at war, in order to enable that department to conduct them to a successful issue.

Having had an opportunity of personally inspecting a portion of the troops during the last summer, it gives me pleasure to bear testimony to the success of the effort to improve their discipline, by keeping them together in as large bodies as the nature of our service will permit. I recommend, therefore, that commodious and permanent barracks be constructed at the several posts designated by the secretary at war. Notwithstanding the high state of their discipline and excellent police, the evils resulting to the service from the deficiency of company officers were very apparent, and I recommend that the staff officers be permanently separated from the line.

The navy has been usefully and honourably employed in protecting the rights and property of our citizens, wherever the condition of affairs seemed to require its presence. With the exception of one instance, where an outrage, accompanied by murder, was committed on a vessel of the United States while engaged in a lawful commerce, nothing is known to have occurred to impede or molest the enterprise of our citizens on that element where it is so signally displayed. On learning this daring act of piracy, commodore Reed proceeded immediately to the spot, and, receiving no satisfaction, either

in the surrender of the murderers or the restoration of the plundered property, inflicted severe and merited chastisement on the barbarians.

It will be seen by the report of the secretary of the navy respecting the disposition of our ships of war, that it has been deemed necessary to station a competent force on the coast of Africa to prevent a fraudulent use of our flag by foreigners.

Recent experience has shown that the provisions in our existing laws which relate to the sale and transfer of American vessels while abroad are extremely defective. Advantage has been taken of these defects to give to vessels wholly belonging to foreigners, and navigating the ocean, an apparent American ownership. This character has been so well simulated as to afford them comparative security in prosecuting the slave trade, a traffic emphatically denounced in our statutes, regarded with abhorrence by our citizens, and of which the effectual suppression is nowhere more sincerely desired than in the United States. These circumstances make it proper to recommend to your early attention a careful revision of these laws, so that, without impeding the freedom and facilities of our navigation, or impairing an important branch of our industry connected with it, the integrity and honour of our flag may be carefully preserved. Information derived from our consul at Havannah, showing the necessity of this, was communicated to a committee of the senate near the close of the last session, but too late, as it appeared, to be acted upon. It will be brought to your notice by the proper department, with addi-

tional communications from other sources.

The latest accounts from the exploring expedition represent it as proceeding successfully in its objects, and promising results no less useful to trade and navigation than to science.

The extent of post-roads covered by mail service on the 1st of July last was about 133,999 miles, and the rate of annual transportation upon them 34,496,878 miles. The number of post-offices on that day was 12,780, and on the 80th ult. 13,028.

The revenue of the post-office department for the year ending with the 30th of June last was \$4,476,638—exhibiting an increase over the preceding year of \$241,560. The engagements and liabilities of the department for the same period are \$4,624,117.

The excess of liabilities over the revenue for the last two years has been met out of the surplus which had previously accumulated. The cash on hand on the 30th ult. was about \$206,701 95c., and the current income of the department varies very little from the rate of current expenditure. Most of the service suspended last year has been restored, and most of the new routes established by the act of the 7th of July, 1838, have been set in opposition at an annual cost of \$136,963. Notwithstanding the pecuniary difficulties of the country, the revenue of the department appears to be increasing; and unless it shall be seriously checked by the recent suspension of payment by so many of the banks, it will be able not only to maintain the present mail service, but in a short time to extend it. It is gratifying to witness the promptitude and fidelity with which the agents

of this department in general perform their public duties.

Some difficulties have arisen in relation to contracts for the transportation of the mails by railroad and steam-boat companies. It appears that the maximum of compensation provided by congress for the transportation of the mails upon railroads is not sufficient to induce some of the companies to convey them at such hours as are required for the accommodation of the public. It is one of the most important duties of the general government to provide and maintain, for the use of the people of the states, the best practicable mail establishment. To arrive at that end, it is indispensable that the post-office department shall be enabled to control the hours at which the mails shall be carried over railroads, as it now does over all other roads. Should serious inconveniences arise from the inadequacy of the compensation now provided by law, or from unreasonable demands by any of the railroad companies, the subject is of such general importance as to require the prompt attention of congress.

In relation to steamboat lines, the most efficient remedy is obvious, and has been suggested by the postmaster-general. The war and navy departments already employ steamboats in their service, and, although it is by no means desirable that the government should undertake the transportation of passengers or freight as a business, there can be no reasonable objection to running boats, temporarily, whenever it may be necessary to put down attempts at extortion, to be discontinued as soon as reasonable contracts can be obtained.

The suggestions of the postmas-

ter-general relative to the inadequacy of the legal allowance to witnesses in cases of prosecutions for mail depredations merit your serious consideration. The safety of the mails requires that such prosecutions shall be efficient, and justice to the citizen whose time is required to be given to the public demands not only that his expenses shall be paid, but that he shall receive a reasonable compensation.

The reports from the war, navy, and post-office departments will accompany this communication, and one from the treasury department will be presented to congress in a few days.

For various details in respect to the matters in charge of these departments, I would refer you to those important documents, satisfied that you will find in them many valuable suggestions which will be found well deserving the attention of the legislature.

From a report made in December of last year by the secretary of state to the senate, showing the trial-docket of each of the circuit courts, and the number of miles each judge has to travel in the performance of his duties, a great inequality appears in the amount of labour assigned to each judge. The number of terms to be held in each of the courts composing the ninth circuit, the distances between the places at which they sit, and thence to the seat of government are represented to be such as to render it impossible for the judge of that circuit to perform in a manner corresponding with public exigencies his term and circuit duties. A revision, therefore, of the present arrangement of the circuits seems to be called for, and is recommended to your notice.

I think it proper to call your attention to the power assumed by territorial legislatures to authorize the issue of bonds by corporate companies on the guarantee of the territory. Congress passed a law in 1836, providing that no act of a territorial legislature incorporating banks should have the force of law until approved by congress, but acts of a very exceptionable character previously passed by the legislature of Florida were suffered to remain in force, by virtue of which bonds may be issued to a very large amount by those institutions, upon the faith of the territory. A resolution, intended to be a joint one, passed the senate at the same session, expressing the sense of congress that the laws in question ought not to be permitted to remain in force unless amended in many material respects, but it failed in the house of representatives from want of time, and the desired amendments have not been made. The interests involved are of great importance, and the subject deserves your early and serious attention.

The continued agitation of the question relative to the best mode of keeping and disbursing the public money still injuriously affects the business of the country. The suspension of specie payments in 1837 rendered the use of deposit banks, as prescribed by the act of 1836, a source rather of embarrassment than aid, and of necessity placed the custody of most of the public money afterwards collected in charge of the public officers. The new securities for its safety which this required were a principal cause of my convening an extra session of congress; but, in consequence of a disagreement between the two houses, neither

then, or at any subsequent period, has there been any legislation on the subject. The effort made at the last session to obtain the authority of congress to punish the use of public money for private purposes as a crime, a measure attended under other governments with signal advantage, was also unsuccessful, from diversities of opinion in that body, notwithstanding the anxiety doubtless felt by it to afford every practicable security. The result of this is still to leave the custody of the public money without those safeguards which had been for several years earnestly desired by the executive, and, as the remedy is only to be found in the action of the legislature, it imposes on me the duty of again submitting to you the propriety of passing a law, providing for the safe keeping of the public monies, and especially to ask that its use for private purposes by any officers intrusted with it may be declared to be a felony, punishable with penalties proportioned to the magnitude of the offence.

These circumstances, added to known defects in the existing laws, and unusual derangement in the general operations of trade, have, during the last three years, much increased the difficulties attendant on the collection, keeping, and disbursement, of the revenue, and called forth corresponding exertions from those having them in charge. Happily these have been successful beyond expectation. Vast sums have been collected and disbursed by the several departments with unexpected cheapness and ease; transfers have been readily made to every part of the union, however distant; the defalcations have been far less than

might have been anticipated, from the absence of adequate legal restraints. Since the officers of the treasury and post-office departments were charged with the custody of the public monies received by them there have been collected \$60,000,000, and, excluding the case of the late collector of New York, the aggregate amount of losses sustained in the collection cannot, it is believed, exceed \$60,000. The defalcation of the late collector at that city, of the extent and circumstances of which congress has been fully informed, ran through all the modes of keeping the public money that have been hitherto in use, and was distinguished by an aggravated disregard of duty, that broke through the restraints of every system, and cannot, therefore, be usefully referred to as a test of the comparative safety of either.

Additional information will also be furnished by the report of the secretary of the treasury, in reply to a call made upon that officer by the house of representatives at the last session, requiring detailed information on the subject of defaults by public officers or agents under each administration from 1789 to 1837. This document will be submitted to you in a few days. The general results (independently of the post-office, which is kept separately, and will be stated by itself), so far as they bear upon this subject, are, that the losses which have been, and are likely to be sustained, by any class of agents, have been—the greatest by banks, including, as required in the resolution, their depreciated paper received for public dues; that the next largest have been by disbursing officers, and the least by collectors and receivers. If the losses

on duty bonds are included, they alone will be threefold those by both collectors and receivers. Our whole experience, therefore, furnishes the strongest evidence that the desired legislation of congress is alone wanting to insure in those operations the highest degree of security and facility. Such also appears to have been the experience of other nations. From results of inquiries made by the secretary of the treasury in regard to the practice among them, I am enabled to state that in twenty-two out of twenty-seven foreign governments, from which undoubted information has been obtained, the public monies are kept in charge of public officers. This concurrence of opinion in favour of that system is perhaps as great as exists on any question of internal administration.

In the modes of business and official restraints on disbursing officers no legal change was produced by the suspension of specie payments. The report last referred to will be found to contain also much useful information in relation to this subject.

I have heretofore assigned to congress my reasons for believing that the establishment of an independent national treasury, as contemplated by the constitution, is necessary to the safe action of the federal government. The suspension of specie payments in 1837 by the banks having the custody of the public money showed in so alarming a degree our dependence on those institutions for the performance of duties required by law, that I then recommended the entire dissolution of that connexion. This recommendation has been subjected, as I desired it should be, to severe scrutiny and animated

discussion; and I allow myself to believe that, notwithstanding the natural diversities of opinion which may be anticipated on all subjects involving such important considerations, it has secured in its favour as general a concurrence of public sentiment as could be expected on one of such magnitude.

Recent events have also continued to develop new objections to such a connexion. Seldom is any bank, under the existing system and practice, able to meet, on demand, all its liabilities for deposits and notes in circulation. It maintains specie payments, and transacts a profitable business, only by the confidence of the public in its solvency; and whenever this is destroyed, the demands of its depositors and noteholders—pressed more rapidly than it can make collections from its debtors—force it to stop payment. This loss of confidence with its consequences occurred in 1837, and afforded the apology of the banks for their suspension. The public then acquiesced in the validity of the excuse; and, while the state legislatures did not exact from them their forfeited charters, congress, in accordance with the recommendation of the executive, allowed them time to pay over the public money they held, although compelled to issue treasury notes to supply the deficiency thus created.

It now appears that there are other motives than a want of public confidence under which the banks seek to justify themselves in a refusal to meet their obligations. Scarcely were the country and government relieved, in a degree, from the difficulties occasioned by the general suspension of 1837, when a partial one, occurring within thirty months of the former,

produced new and serious embarrassments, though it had no palliation in such circumstances as were alleged in justification of that which had previously taken place. There was nothing in the condition of the country to endanger a well-managed banking institution; commerce was deranged by no foreign war, every branch of manufacturing industry was crowned with rich rewards; and the more than usual abundance of our harvests, after supplying our domestic wants, had left our granaries and store-houses filled with a surplus for exportation. It is in the midst of this that an irredeemable and depreciated paper currency is entailed upon the people by a large portion of the banks. They are not driven to it by the exhibition of a loss of public confidence, or of a sudden pressure from their depositors, or noteholders, but they excuse themselves by alleging that the current of business, and exchange with foreign countries, which draw the precious metals from their vaults, would require, in order to meet it, a larger curtailment of their loans to a comparative small portion of the community, than it will be convenient for them to bear, or the banks to exact. The plea has ceased to be one of necessity. Convenience and policy are now deemed sufficient to warrant these institutions in disregarding their solemn obligations. Such conduct is not merely an injury to individual creditors, but it is a wrong to the whole community, from whose liberality they hold most valuable privileges—whose rights they violate, whose business they derange, and the value of whose property they render unstable and insecure. It must be evident that this new ground

for bank suspensions, in reference to which their action is not only disconnected with, but wholly independent of, that of the public, gives a character to their suspensions more alarming than any which they exhibited before, and greatly increases the impropriety of relying on the banks in the transactions of the government.

A large and highly respectable portion of our banking institutions are, it affords me unfeigned pleasure to state, exempted from all blame on account of this second delinquency. They have, to their great credit, not only continued to meet their engagements, but have even repudiated the grounds of suspension now resorted to. It is only by such a course that the confidence and good-will of the community can be preserved, and, in the sequel, the best interests of the institutions themselves promoted.

New dangers to the banks are also daily disclosed from the extension of that system of extravagant credit of which they are the pillars. Formerly our foreign commerce was principally founded on an exchange of commodities, including the precious metals, and leaving in its transactions but little foreign debt. Such is not now the case. Aided by the facilities afforded by the banks, mere credit has become too commonly the basis of trade. Many of the banks themselves, not content with largely stimulating this system among others, have usurped the business, while they impair the stability of the mercantile community; they have become borrowers instead of lenders; they establish their agencies abroad; they deal largely in stocks and merchandise; they encourage the issue of state securi-

ties until the foreign market is glutted with them; and, unsatisfied with the legitimate use of their own capital and the exercise of their lawful privileges, they raise, by large loans, additional means for every variety of speculation. The disasters attendant on this deviation from the former course of business in this country are now shared alike by banks and individuals to an extent of which there is perhaps no previous example in the annals of our country. So long as a willingness of the foreign lender, and a sufficient export of our productions to meet any necessary partial payments, leave the flow of credit undisturbed, all appears to be prosperous; but as soon as it is checked by any hesitation abroad, or by an inability to make payment there in our productions, the evils of the system are disclosed: The paper currency which might serve for domestic purposes, is useless to pay the debt due in Europe. Gold and silver are therefore drawn, in exchange for their notes from the banks. To keep up their supply of coin, these institutions are obliged to call upon their own debtors, who pay them principally in their own notes, which are as unavailable to them as they are to the merchants to meet the foreign demand. The calls of the banks, therefore, in such emergencies, of necessity, exceed that demand, and produce a corresponding curtailment of their accommodations and of the currency, at the very moment when the state of trade renders it most inconvenient to be borne. The intensity of this pressure on the community is in proportion to the previous liberality of credit and consequent expansion of the currency; forced sales of property are

made at the time when the means of purchasing are most reduced, and the worst calamities to individuals are only at last arrested, by an open violation of their obligations by the banks, a refusal to pay specie for their notes, and an imposition upon the community of a fluctuating and depreciated currency.

These consequences are inherent in the present system. They are not influenced by the banks being large or small, created by national or state governments. They are the results of the irresistible laws of trade and credit. In the recent events which have so strikingly illustrated the certain effects of these laws, we have seen the bank of the largest capital in the union, established under a national charter, and lately strengthened, as we were authoritatively informed, by exchanging that for a state charter, with new and unusual privileges—in a condition, too, as it was said, of entire soundness and great prosperity—not merely unable to resist these effects, but the first to yield to them.

Nor is it to be overlooked that there exists a chain of necessary dependence among these institutions, which obliges them to a great extent to follow the course of others, notwithstanding its injustice to their own immediate creditors, or injury to the particular community in which they are placed. This dependence of a bank, which is in proportion to the extent of its debts for circulation and deposits, is not merely on others in its own vicinity, but on all those which connect it with the centre of trade. Distant banks may fail, without seriously affecting those in our principal commercial cities, but the failure of the latter is felt

at the extremities of the union. The suspension at New York in 1837 was everywhere, with very few exceptions, followed, as soon as it was known; that recently at Philadelphia immediately affected the banks of the South and West in a similar manner. This dependence of our whole banking system on the institutions in a few large cities, is not found in the laws of their organization, but in those of trade and exchange. The banks at that centre to which currency flows, and where it is required in payment for merchandise, hold the power of controlling those in regions whence it comes, while the latter possess no means of restraining them; so that the value of individual property and the prosperity of trade, through the whole interior of the country, are made to depend on the good or bad management of the banking institutions in the great seats of trade on the seaboard.

But this chain of dependence does not stop here. It does not terminate at Philadelphia or New York. It reaches across the ocean and ends in London, the centre of the credit system. The same laws of trade which give to the banks in our principal cities power over the whole banking system of the United States, subject the former, in their turn, to the money power in Great Britain. It is not denied that the suspension of the New York banks in 1837, which was followed in quick succession throughout the union, was produced by an application of that power; and it is now alleged, in extenuation of the present condition of so large a portion of our banks, that their embarrassments have arisen from the same cause.

From this influence they cannot

now entirely escape, for it has its origin in the credit currencies of the two countries; it is strengthened by the current of trade and exchange, which centres in London, and is rendered almost irresistible by the large debts contracted there by our merchants, our banks, and our states. It is thus that an introduction of a new bank into the most distant of our villages places the business of that village within the influence of the money power in England. It is thus that every new debt which we contract in that country seriously affects our own currency, and extends over the pursuits of our country its powerful influence. We cannot escape from this by making new banks, great or small, state or national. The same chains which bind those now existing to the centre of this system of paper credit must equally fetter every similar institution we create. It is only by the extent to which this system has been pushed of late, that we have been made fully aware of its irresistible tendency to subject our own banks and currency to a vast controlling power in a foreign land; and it adds a new argument to those which illustrate their precarious situation. Endangered in the first place by their own mismanagement, and again by the conduct of every institution which connects them with the centre of trade in our own country, they are yet subjected, beyond all this, to the effect of whatever measures policy, necessity, and caprice may induce those who control the credits of England to resort to. I mean not to comment upon these measures, present or past, and much less to discourage the prosecution of fair commercial dealing between the two countries, based on reci-

procal benefits; but it having now been made manifest that the power of inflicting these and similar injuries is, by the resistless law of a credit currency and credit trade, equally capable of extending their consequences through all the ramifications of our banking system, and by that means indirectly obtaining, particularly when our banks are used as depositories of the public monies, a dangerous political influence in the United States, I have deemed it my duty to bring the subject to your notice, and ask for it your serious consideration.

Is an argument required beyond the exposition of these facts to show the impropriety of using our banking institutions as depositories of the public money? Can we venture not only to encounter the risk of their individual and mutual mismanagement, but, at the same time, to place our foreign and domestic policy entirely under the control of a foreign monied interest? To do so is to impair the independence of our government, as the present credit system has already impaired the independence of our banks. It is to submit all its important operations, whether of peace or war, to be controlled or thwarted at first by our banks, and then by a power abroad greater than themselves. I cannot bring myself to depict the humiliation to which this government and people might be sooner or later reduced if the means for defending their rights are to be made dependent upon those who may have the most powerful of motives to impair them.

Nor is it only in reference to the effect of this state of things on the independence of our government or of our banks, that the

subject presents itself for consideration; it is to be viewed also in its relations to the general trade of our country. The time is not long past when a deficiency of foreign crops was thought to afford a profitable market for the surplus of our industry; but now we wait with feverish anxiety the news of the English harvest, not so much from motives of commendable sympathy, but fearful lest its anticipated failure should narrow the field of credit there. Does not this speak volumes to the patriot? Can a system be beneficent, wise, or just, which creates greater anxiety for interests dependent on foreign credit than for the general prosperity of our own country, and the profitable exportation of the surplus produce of our labour?

The circumstances to which I have thus adverted appear to me to afford weighty reasons, developed by late events, to be added to those which I have on former occasions offered, when submitting to your better knowledge and discernment the propriety of separating the custody of the public money from banking institutions; nor has anything occurred to lessen, in my opinion, the force of what has been heretofore urged. The only ground on which that custody can be desired by the banks is the profitable use which they may make of the money. Such use would be regarded in individuals as a breach of trust, or a crime of great magnitude, and yet it may be reasonably doubted whether, first and last, it is not attended with more mischievous consequences when permitted to the former than to the latter. The practice of permitting the public money to be used by its keepers as here is believed to be peculiar to this

country, and to exist scarcely anywhere else. To procure it here, improper influences are appealed to; unwise connections are established between the government and vast numbers of powerful state institutions; other motives than the public good are brought to bear both on the executive and legislative departments; and selfish combinations, leading to special legislation, are formed. It is made the interest of banking institutions and their stockholders throughout the union to use their exertions for the increase of taxation and the accumulation of a surplus revenue; and, while an excuse is afforded, the means are furnished for those excessive issues which lead to extravagant trading and speculation, and are the forerunners of a vast debt abroad, and a suspension of the banks at home.

Impressed, therefore, as I am, with the propriety of the funds of the government being withdrawn from the private use of either banks or individuals, and the public money kept by duly-appointed public agents, and believing, as I do, that such also is the judgment which discussion, reflection, and experience have produced on the public mind, I leave the subject with you. It is, at all events, essential to the interests of the community and the business of the government that a decision should be made.

Most of the arguments that dissuade us from employing banks, in the custody and disbursement of the public money, apply with equal force to the receipt of their notes for public dues. The difference is only in form. In one instance the government is a creditor for its deposits, and in the other for the notes it holds. They

afford the same opportunity for using the public monies, and equally lead to all the evils attendant upon it, since a bank can as safely extend its discounts on a deposit of its notes in the hands of a public officer as on one made in its own vaults. On the other hand, it would give to the government no greater security, for, in case of failure, the claim of the noteholder would be no better than that of a depositor.

I am aware that the danger of inconvenience to the public, and unreasonable pressure upon sound banks, have been urged as objections to requiring the payment of the revenue in gold and silver. These objections have been greatly exaggerated. From the best estimates we may safely fix the amount of specie in the country at \$85,000,000, and the portion of that which would be employed at any one time in the receipts and disbursements of the government, even if the proposed change were made at once, would not, it is now, after fuller investigation, believed, exceed \$4,000,000 or \$5,000,000. If the change were gradual, several years would elapse before that sum would be required, with annual opportunities in the mean time to alter the law, should experience prove it to be oppressive or inconvenient. The portions of the community on whose business the change would immediately operate are comparatively small, nor is it believed that its effect would be in the least unjust or injurious to them.

In the payment of duties, which constitute by far the greater portion of the revenue, a very large proportion is derived from foreign commission houses and agents of foreign manufacturers, who sell

the goods consigned to them generally at auction, and, after paying the duties out of the avails, remit the rest abroad in specie or its equivalent. That the amount of duties should, in such cases, be also retained in specie, can hardly be made a matter of complaint. Our own importing merchants, by whom the residue of the duties is paid, are not only peculiarly interested in maintaining a sound currency, which the measure in question will especially promote, but are, from the nature of their dealings, best able to know when specie will be needed, and to procure it with the least difficulty or sacrifice. Residing, too, almost universally in places where the revenue is received, and where the drafts used by the government for its disbursements must concentrate, they have every opportunity to obtain and use them in place of specie, should it be for their interest or convenience. Of the number of these drafts, and the facilities they may afford, as well as of the rapidity with which the public funds are drawn and disbursed, an idea may be formed from the fact that, of nearly \$20,000,000 paid to the collectors and receivers during the present year, the average amount in their hands at any time has not exceeded a million and a half; and of the \$15,000,000 received by the collector of New York alone during the present year, the average amount held by him, subject to draft during each week, has been less than \$500,000.

The ease and safety of the operations of the treasury in keeping the public money are promoted by the application of its own drafts to the public dues. The objection arising from having them too long outstanding might be obviated, and

they yet made to afford, to merchants and banks holding them, an equivalent for specie, and in that way greatly lessen the amount actually required. Still less inconvenience will attend the requirement of specie in purchase of public lands. Such purchases, except when made on speculation, are, in general, but single transactions, rarely repeated by the same person; and it is a fact that for the last year and a half, during which the notes of the sound banks have been received, more than a moiety of these payments has been voluntarily made in specie, being a larger proportion than would have been required in three years under the graduation proposed.

It is moreover a principle, than which none is better settled by experience, that the supply of the precious metals will always be found adequate to the uses for which they are required. They abound in countries where no other currency is allowed. In our own states, where small notes are excluded, gold and silver supply their place. When driven to their hiding-places by bank-suspensions, a little firmness in the community soon restores them in a sufficient quantity for ordinary purposes. Postage and other public dues have been collected in coin without serious inconvenience, even in states where a depreciated paper currency has existed for years, and this, with the aid of treasury notes for a part of the time, was done without interruption during the suspension of 1837. At the present moment the receipts and disbursements of the government are made in legal currency in the largest portion of the union. No one suggests a departure from this

rule; and, if it can now be successfully carried out, it will be surely attended with even less difficulty when bank-notes are again redeemed in specie.

Indeed I cannot think that a serious objection would anywhere be raised to the receipt and payment of gold and silver in all public transactions, were it not for an apprehension that a surplus in the treasury might withdraw a large portion of it from circulation, and lock it up unprofitably in the public vaults. It would not, in my opinion, be difficult to prevent such inconvenience from occurring; but the authentic statements which I have already submitted to you in regard to the actual amount in the public treasury at any one time during the period embraced in them, and the little probability of a different state of the treasury for at least seven years to come, seem to render it unnecessary to dwell upon it. Congress, moreover, as I have before observed, will in every year have an opportunity to guard against it, should the occurrence of any circumstances lead us to apprehend injury from this source. Viewing the subject in all its aspects, I cannot believe that any period will be more auspicious than the present for the adoption of all measures necessary to maintain the sanctity of our own engagements, and to aid in securing to the community that abundant supply of the precious metals which adds so much to their prosperity, and gives such increased stability to all their dealings.

In a country so commercial as ours, banks in some form will probably always exist; but this serves only to render it the more incumbent on us, notwithstanding the discouragements of the past, to

strive in our respective stations to mitigate the evils they produce; to take from them, as rapidly as the obligations of public faith and a careful consideration of the immediate interests of the community will permit, the unjust character of monopolies; to check, so far as may be practicable by prudent legislation, those temptations of interest and those opportunities for their dangerous indulgence which beset them on every side, and to confine them strictly to the performance of their paramount duty, that of aiding the operations of commerce, rather than consulting their own exclusive advantage. These and other salutary reforms may, it is believed, be accomplished without the violation of any of the great principles of the social compact, the observance of which is indispensable to its existence, or interfering in any way with the useful and profitable employment of real capital.

Institutions so framed have existed and still exist elsewhere, giving to commercial intercourse all necessary facilities, without inflating or depreciating the currency, or stimulating speculation. Thus accomplishing their legitimate ends, they have gained the surest guarantee for their protection and encouragement in the good will of the community. Among a people so just as ours, the same results could not fail to attend a similar course. The direct supervision of the banks belongs, from the nature of our government, to the states who authorise them. It is to their legislatures that the people must mainly look for action on that subject. But, as the conduct of the federal government in the management of its revenue has also a powerful though less

immediate influence upon them, it becomes our duty to see that a proper direction is given to it. While the keeping of the public revenue in a separate and independent treasury, and the collecting it in gold and silver, will have a salutary influence on the system of paper credit, with which all banks are connected, and thus aid those that are sound and well managed, it will, at the same time, sensibly check such as are otherwise, by at once withholding the means of extravagance afforded by the public funds, and restraining them from excessive issues of notes which they would be constantly called upon to redeem.

I am aware it has been urged that this control may be best attained and exerted by means of a national bank. The constitutional objections which I am well known to entertain would prevent me in any event from proposing or assenting to that remedy; but, in addition to this, I cannot, after past experience, bring myself to think that it can any longer be extensively regarded for such a purpose. The history of the late national bank, through all its mutations, shows that it was not so. On the contrary it may, after a careful consideration of the subject, be, I think, safely stated, that at every period of banking excess it took the lead; that in 1817, and 1818, in 1823, in 1831, and 1834, in its vast expansions, followed by distressing contractions, led to those of the state institutions. It swelled and maddened the tides of the banking system, but seldom allayed or safely directed them. At a few periods only was a salutary control exercised, but an eager desire, on the contrary, exhibited for profit in the first place; and if,

afterwards, its measures were severe towards other institutions, it was because its own safety compelled it to adopt them. It did not differ from them in principle or form; its measures emanated from the same spirit of gain; it felt the same temptation to over-issues; it suffered from, and was totally unable to avert, those laws of trade by which it was itself affected equally with them; and at least on one occasion, at an early day, it was saved only by extraordinary exertions from the same fate that attended the weakest institution it professed to supervise. In 1837 it failed equally with others, in redeeming its notes, though the two years allowed by its charter for that purpose had not expired, a large amount of which remains to the present time outstanding.

It is true that, having so vast a capital, and strengthened by the use of all the revenues of the government, it possessed more power; but while it was itself, by that circumstance, freed from the control which all banks require, its paramount object and inducement were left the same—to make the most for its stockholders, not to regulate the currency of the country. Nor has it, as far as we are advised, been found to be greatly otherwise elsewhere. The national character given to the Bank of England has not prevented excessive fluctuations in their currency, and it proved unable to keep off a suspension of specie payments, which lasted for nearly a quarter of a century. And why should we expect it to be otherwise? A national institution, though deriving its charter from a different source than the state banks, is yet constituted upon the same principles, is conducted by

men equally exposed to temptation, and is liable to the same disasters, with the additional disadvantage that its magnitude occasions an extent of confusion and distress which the mismanagement of smaller institutions could not produce. It can scarcely be doubted that the recent suspension of the United States Bank of Pennsylvania—of which the effects are felt not in that state alone, but over half the union—had its origin in a course of business commenced while it was a national institution; and there is no good reason for supposing that the same consequences would not have followed had it still derived its powers from the general government. It is in vain, when the influences and impulses are the same, to look for a difference in conduct or results. By such creations we do, therefore, but increase the mass of paper credit and paper currency, without checking their attendant evils and fluctuations. The extent of power and the efficiency of organization which we give, so far from being beneficial, are in practice positively injurious. They strengthen the chain of dependence throughout the union, subject all parts more certainly to common disaster, and bind every bank more effectually, in the first instance, to those of our commercial cities, and, in the end, to a foreign power. In a word, I cannot but believe that, with the full understanding of the operations of our banking system which experience has produced, public sentiment is not less opposed to the creation of a national bank for purposes connected with currency and commerce, than for those connected with the fiscal operations of the government.

Yet the commerce and currency

of the country are suffering evils from the operations of the state banks which cannot and ought not to be overlooked. By their means we have been flooded with a depreciated paper, which it was evidently the design of the framers of the constitution to prevent when they required congress, to "coin money and regulate the value of foreign coins," and when they forbade the states "to coin money, emit bills of credit, make anything but gold and silver a tender in payment of debts," or "pass any law impairing the obligation of contracts." If they did not guard more explicitly against the present state of things, it was because they could not have anticipated that the few banks then existing were to swell to an extent which would expel to so great a degree the gold and silver, for which they had provided, from the channels of circulation, and fill them with a currency that defeats the object they had in view. The remedy for this must chiefly rest with the states from whose legislation it has sprung. No good that might accrue in a particular case from the exercise of powers not obviously conferred on the general government, would authorize its interference, or justify a course that might, in the slightest degree, increase, at the expense of the states, the power of the federal authorities; nor do I doubt that the states will apply the remedy. Within the last few years events have appealed to them too strongly to be disregarded. They have seen that the constitution though theoretically adhered to, is subverted in practice; that while on the statute-books there is no legal tender but gold and silver—no law impairing the obligations of contracts—yet that, in point of

fact, the privileges conferred on banking corporations have made their notes the currency of the country; that the obligations imposed by these notes are violated under the impulses of interest or convenience; and that the number and power of the persons connected with these corporations, or placed under their influence, give them a fearful weight when their interest is in opposition to the spirit of the constitution and laws. To the people it is immaterial whether these results are produced by open violations of the latter, or by the workings of a system of which the result is the same. An inflexible execution even of the existing statutes of most of the states would redress many evils now endured, would effectually show the banks the danger and mismanagement which impunity encourages them to repeat, and would teach all corporations the useful lesson, that they are the subjects of the law and the servants of the people. What is still wanting to effect these objects must be sought in additional legislation; or, if that be inadequate, in such further constitutional grants or restrictions as may bring us back into the path from which we have so widely wandered.

In the mean time it is the duty of the general government to co-operate with the states by a wise exercise of its constitutional powers, and the enforcement of its existing laws. The extent to which it may do so by further enactments I have already adverted to, and the wisdom of congress may yet enlarge them. But, above all, it is incumbent upon us to hold erect the principles of morality and law, constantly executing our own contracts in accordance with

the provisions of the constitution, and thus serving as a rallying point by which our whole country may be brought back to that safe and honoured standard.

Our people will not be long insensible to the extent of the burdens entailed upon them by the false system that has been operating on their sanguine, energetic, and industrious character; nor to the means necessary to extricate themselves from these embarrassments. The weight which presses upon a large portion of the people and states is an enormous debt foreign and domestic. The foreign debt of our states, corporations, and men of business, can scarcely be less than \$200,000,000, requiring more than \$10,000,000 a year to pay the interest. This sum has not been paid out of the exports of the country, and must of necessity cut off imports to that extent, or plunge the country more deeply in debt from year to year. It is easy to see that the increase of the foreign debt must augment the annual demand on the exports to pay the interest, and to the same extent diminish the imports, and in proportion to the enlargement of the foreign debt, and the consequent increase of interest, must be the decrease of the import trade.

In lieu of the comforts which it now brings us, we might have our gigantic banking institutions, and splendid, but in many instances profitless, railroads, and canals, absorbing to a great extent, in interest upon the capital borrowed to construct them, the surplus fruits of national industry for years to come, and securing to posterity no adequate return for the comforts which the labours of their hands might otherwise have secured. It

is not by the increase of this debt that relief is to be sought, but in its diminution. Upon this point there is, I am happy to say, hope before us; not so much in the return of confidence abroad, which will enable the states to borrow more money, as in a change of public feeling at home, which prompts our people to pause in their career, and think of the means by which our debts are to be paid, before they are contracted.

If we would escape embarrassment, public and private, we must cease to run in debt, except for objects of necessity, or such as yield a certain return. Let the faith of the states, corporations, and individuals, already pledged, be kept with the most punctilious regard. It is due to our national character, as well as to justice, that this should, on the part of each, be a fixed principle of conduct. But it behoves us all to be more chary in pledging it hereafter. By ceasing to run in debt, and applying the surplus of our crops and incomes to the discharge of existing obligations, buying less and selling more, and managing all affairs, public and private, with strict economy and frugality, we shall see our country soon recover from a temporary depression, arising not from natural and permanent causes, but from those I have enumerated, and advance with renewed vigour in her career of prosperity.

Fortunately for us, at this moment, when the balance of trade is greatly against us, and the difficulty of meeting it enhanced by the disturbed state of our money affairs, the bounties of Providence have come to relieve us from the consequences of past errors. A faithful application of the immense results of the labours of the last

session, and perseverance in the same course will, in due season, accomplish the rest. We have had full experience, in times past, of the extraordinary results which can, in this respect, be brought about in a short period, by the united and well-directed efforts of a community like ours. Our surplus profits, the energy and industry of our population, and the wonderful advantages which Providence has bestowed upon our country, in its climate, its various productions, indispensable to other nations, will, in due time, afford abundant means to perfect the most useful of those objects for which the states have been plunging themselves of late in embarrassment and debt, without imposing on ourselves or our children such fearful burdens.

But let it be indelibly engraved on our minds that relief is not to be found in expedients. Indebtedness cannot be lessened by borrowing more money, or by changing the form of the debt. The balance of trade is not to be turned in our favour by creating new demands upon us abroad. Our currency cannot be improved by the creation of new banks, or more issues from those which now exist. Although these devices sometimes appear to give temporary relief, they almost invariably aggravate the evil in the end. It is only by retrenchment and reform, by curtailings public and private expenditures, by paying our debts, and by reforming our banking system, that we are to expect effectual relief, security for the future, and an enduring prosperity. In shaping the institutions and policy of the general government so as to promote, as far as it can with its limited powers, these important ends, you

may rely on my most cordial co-operation.

That there should have been, in the progress of recent events, doubts in many quarters, and in some a heated opposition to every change, cannot surprise us. Doubts are properly attendant on all reform; and it is peculiarly in the nature of such abuses as we are now encountering to seek to perpetuate their power by means of the influence they have been permitted to acquire. It is their result, if not their object, to gain for the few an ascendancy over the many, by securing to them a monopoly of the currency, the medium through which most of the wants of mankind are supplied—to produce throughout society a chain of dependence which leads all classes to look to privileged associations for the means of speculation and extravagance—to nourish, in preference to the manly virtues that give dignity to human nature, a craving desire for luxurious enjoyment and sudden wealth, which renders those who seek them dependent on those who supply them—to substitute for republican simplicity and economical habits a sickly appetite for effeminate indulgence, and an imitation of that reckless extravagance which impoverished and enslaved the industrious people of foreign lands; and, at last, to fix upon us, instead of those equal political rights, the acquisition of which was alike the object and supposed reward of our revolutionary struggle, a system of exclusive privileges conferred by partial legislation. To remove the influences which had thus gradually grown up amongst us—to deprive them of their deceptive advantages—to test them by the light of wisdom and truth—to oppose

the force which they concentrate in their support—all this was necessarily the work of time, even among a people so enlightened and pure as that of the United States. In most other countries, perhaps, it could only be accomplished through that series of revolutionary movements, which are too often found necessary to effect any great and radical reform; but it is the crowning merit of our institutions that they create and nourish in the vast majority of our people a disposition and a power peaceably to remedy abuses which have elsewhere caused the effusion of rivers of blood, and the sacrifice of thousands of the human race. The result thus far is most honourable to the self-denial, the intelligence, and the patriotism, of our citizens; it justifies the confident hope that they will carry through the reform which has been so well begun, and that they will go still farther than they have yet gone in illustrating the important truth, that a people as free and enlightened as ours will, whenever it becomes necessary, show themselves to be indeed capable of self-government by voluntarily adopting appropriate remedies for every abuse, and submitting to temporary sacrifices, however great, to ensure their permanent welfare.

My own exertions for the furtherance of these desirable objects have been bestowed throughout my official career with a zeal that is nourished by ardent wishes for the welfare of my country, and by an unlimited reliance on the wisdom that marks its ultimate decision on all great and controverted questions. Impressed with the solemn obligations imposed upon me by the constitution—desirous also of laying before my fellow-citizens, with whose confidence and support I have been so highly honoured, such measures as appear to me conducive to their prosperity—and anxious to submit to their fullest consideration the grounds upon which my opinions are formed, I have on this, as on preceding occasions, freely offered my views on those points of domestic policy that seem, at the present time, most prominently to require the action of the government. I know that they will receive from congress that full and able consideration which the importance of the subjects merit, and can repeat the assurance heretofore made, that I shall cheerfully and readily co-operate with you in every measure that will tend to promote the welfare of the Union.

M. VAN BUREN.

December 2, 1839.

II.—DOMESTIC.

LETTERS TO THE QUEEN FROM LADY LOUDON, AND VISCOUNT MELBOURNE'S REPLIES.

THE following correspondence appeared in the *Morning Post*; in whose hands it had been placed

for publication by the mother of lady Flora Hastings.

*"The Marchioness of Hastings,
Countess of Loudon, to her Ma-
jesty.*

"London Castle, 7th March, 1839.

"Madam—It is hardly to be imagined that your majesty should feel any surprise in receiving the present letter. The anguish of a mother's heart, under circumstances such as mine, can only be understood by a mother. But no one can be at a loss to know that loyalty to your majesty and justice to my innocent child, demand from me an explicit reference to your majesty on the atrocious calumnies and unblushing falsehoods against my daughter's reputation, which the perpetrators have dared to circulate even in the palace of the sovereign. I have had the honour of remembering your majesty in childhood; I am deeply and gratefully attached to your admirable mother; and I have cherished, in distance, absence, bad health, and many sorrows, a deep interest in the real honour and glory of your reign. My husband served his country honourably and with devoted zeal, and was particularly known to your royal race; and my own family, during a long line, have been distinguished as faithful servants of their kings. My grandfather lost his life in the service of his sovereign. With so many claims on my feelings of old—although now unfashionable—aristocracy, it is impossible to suppose me capable of disrespect or want of loyalty towards your majesty—a feeling, madam, not less unbecoming towards you than repugnant to what I feel suitable in myself. But, I trust a sense of morality is not yet so callous a thing as not to be held in some due respect even in the sight of a

thoughtless world, and to justify my appealing directly to your majesty to refute, by some act, calculated to mark your indignant sense of the slanders which some person or persons have ventured to cast in your majesty's presence upon my daughter, and betrayed your majesty to follow up by a course of proceeding, such as was, no doubt, done on their part with a wish to try to degrade the victim of their persecution. It is my duty respectfully to call your majesty's attention to its being not more important for my daughter than essentially consonant to your majesty's honour and justice, not to suffer the criminal inventor of such falsehoods to remain without discovery. To a female sovereign especially, women of all ranks in Britain look with confidence for protection and (notwithstanding the difference of their rank) for sympathy. To such honest feelings of respect (for they take their origin in that) I ought not to suppose your majesty indifferent; far less can I imagine that, as your majesty increases in years, you will not feel, madam, more and more the value of that estimate of your high place, which would make no one doubt your commanding reparation (as far as reparation can be made) for an infamous calumny, as not less incumbent as an act of necessary morality in the case of the public, as it assuredly is to the individual who so severely suffers from such defamation. This is not a matter that can or will be hushed up, and it is all-important that no time should be lost in calling the culpable to account.

"With this appeal to your majesty's upright feelings, I have the

honour to be, madam, your majesty's dutiful subject and servant,

(Signed)

"F. HASTINGS AND MURE
LOUDON."

"*London Castle, 8th March, 1839.*

"My Lord—I trouble your lordship with the enclosed letter, in order to insure its immediate and safe delivery; and I have to request you will present it yourself to her majesty.

"I have the honour to be, &c.

(Signed)

"F. HASTINGS AND MURE
LOUDON.

"To Viscount Melbourne, &c."

"*Downing Street, 12th March, 1839.*

"Madam—According to your ladyship's desire I have delivered to her majesty your letter of the 7th instant.

"The allowance which her majesty is anxious to make for the natural feelings of a mother upon such an occasion, tended to diminish 'that surprise which could not be otherwise than excited by the tone and substance' of your ladyship's letter.

"Her majesty commands me to convey to your ladyship the expression of her deep concern at the unfortunate circumstances which have recently taken place. Her majesty hastened to seize the first opportunity of testifying to lady Flora Hastings her conviction of the error of the impression which had prevailed; and her majesty is still most desirous to do every thing in her power to soothe the feelings of lady Flora and her family, which must have been painfully affected by the events which have occurred.

"I have the honour to remain,
VOL. LXXXI.

madam, your ladyship's obedient and humble servant,

(Signed)

"MELBOURNE.
"The Marchioness Dowager of Hastings, &c."

"*London Castle, 10th March, 1839.*

"My Lord—When I observe that no steps are taken to repair, as far as reparation is possible, the indignity offered, three weeks ago, to my daughter, within the precincts of her majesty's palace, your lordship cannot be surprised at receiving this letter from me. I am told that, as the responsible adviser of the sovereign, your lordship considers it as your constitutional right to appoint and to dismiss her majesty's household. As it is known to be your lordship's principle, I address myself to you, on whom the sacred trust and heavy responsibility rest, of marking respect for good order and punishing abuse. The nature and the manner of the course pursued in this atrocious conspiracy (for it admits of no other name) were unexampled; and yet sir James Clark remains her majesty's physician. I claim at your hands, my lord, as a mark of public justice, the removal of sir James Clark.

"I am, my lord, your lordship's most humble servant,

(Signed)

"F. HASTINGS AND MURE
LOUDON.

"To the right hon. Lord Viscount Melbourne."

"*South Street, 17th March, 1839.*

"Madam—Late yesterday evening, the 16th instant, I had the honour of receiving your ladyship's letter of the 10th instant from Loudon castle. I mark these dates, in order to acquit myself of

2 H

any delay or neglect in replying to your ladyship's communication.

"The demand which your ladyship's letter makes upon me is so unprecedented and objectionable that even the respect due to your ladyship's sex, rank, family, and character, would not justify me in more, if indeed it authorises so much, than acknowledging that letter for the sole purpose of acquainting your ladyship that I have received it.

"I have the honour to remain, madam, with the highest respect, your ladyship's obedient and humble servant,

(Signed) "MELBOURNE.

"The Marchioness Dowager of Hastings, &c."

"*London Castle, 15th March, 1839.*

"My Lord—Any expression of her majesty's sorrow for late occurrences is consolatory to me.

If the queen wishes any explanation of any part of my letter, which, from a dubious expression in your lordship's, I am uncertain of, I am quite ready to give it.

"If her majesty had been thoroughly aware of all the circum-

stances of the case, 'the tone and substance' of my letter could not have excited any surprise. Although a woman, the oath of allegiance, which I have taken to her majesty, is as dear to me as to any man; and to that, and the true circumstances of the late transactions, I refer your lordship.

"I am, my lord, your lordship's most humble servant,

(Signed)

"F. HASTINGS AND MURR
LONDON.

"The right hon. Lord Viscount Melbourne, &c."

"*South Street, 18th March, 1839.*

"Madam—I have the honour of acknowledging your ladyship's letter of the 15th instant, which I received yesterday morning.

"I neither had, nor have it in command to express a wish for any explanation of your ladyship's letter addressed to her majesty, nor of any part of it.

"I have the honour to remain, with high respect, your ladyship's humble and obedient servant,

(Signed) "MELBOURNE.

"The Most Noble the Marchioness Dowager of Hastings."

SIR JAMES CLARK'S STATEMENT OF THE CASE OF THE LATE LADY FLORA HASTINGS.

So long as the accusations brought against me, in reference to the case of the late lady Flora Hastings, continued to be either anonymous or unauthorised, I felt it right to submit in silence to every species of provocation, rather than bring before the public circumstances of a very delicate nature, which came within my knowledge in the implied confidence of professional intercourse. The publi-

cation, however, of the marquess of Hastings, the nearest relative of lady Flora Hastings, made me doubt seriously whether, in regard to myself as well as the profession, I was justified in not laying before the public an account of the case so far as I was concerned. The renewed attacks which have followed that publication permit me no longer to hesitate; although, even now, it is with the utmost

reluctance that I bring myself to enter into details which, I am of opinion ought never to have been made the subject of public discussion.

On the 10th of January last I was consulted by lady Flora Hastings, who had that day arrived from Scotland, and had come into waiting on her royal highness the duchess of Kent. She had derangement of the bowels, and of the general health, and she complained of pain low in the left side. There was also considerable enlargement of the lower part of the abdomen.

Under the use of some very simple remedies the derangement of the bowels and the pain in the side gradually abated, and ultimately ceased; and lady Flora complained only of weakness.

The size of the abdomen, however, continued undiminished; and lady Flora's appearance became the subject of remark in the palace. About the 1st of February, as nearly as I am able to fix the date, I was sent for by lord Melbourne; and on going to him, his lordship informed me that a communication had been made to him by lady Tavistock, respecting lady Flora Hastings, whose appearance had given rise to a suspicion in the palace that she might be privately married: his lordship asked my opinion on the subject. I stated in reply, that, while I thought such suspicions ought not to be readily listened to, I was, at the same time, bound to admit to him that the appearance of lady Flora in some degree countenanced them. I added that, without more ample means of observation, I could not venture to give an opinion on the subject; and his lordship agreed with me that no step should then be taken in the matter.

From this time the condition of lady Flora Hastings caused me considerable anxiety. The only source, besides pregnancy, from which the size and peculiar form of the abdomen could proceed, was disease; but the probability of disease being the sole cause in lady Flora's case was diminished by the circumstance that the enlargement was accompanied by very little general derangement of health. In fact, lady Flora continued to perform her usual duties with apparently little inconvenience to herself. I continued to visit lady Flora about twice a week, from the 10th of January to the 16th of February, and on several occasions examined the state of the abdomen over her dress; but being unable to satisfy myself as to the nature of the enlargement, I at length expressed to her my uneasiness respecting her size, and requested, that at my next visit, I might be permitted to lay my hand upon her abdomen with her stays removed. To this lady Flora declined to accede.

Matters remained in this state until the 16th of February. On that day I found it had been determined that I should acquaint lady Flora with the suspicions which existed in the palace, and should suggest her calling another physician into consultation with me. Before visiting lady Flora, I asked lady Portman, the lady in waiting, if I might use her name to lady Flora, as one of the ladies who entertained the suspicion respecting her. To this lady Portman at once assented. Her ladyship then described the peculiarities in lady Flora's form and carriage, which had produced the impression in regard to her state. To the question as to what my opinion on

the subject was, I replied that the appearances were certainly suspicious, but that even to medical men such appearances were often deceptive. Lady Portman concluded by observing, that for the sake of lady Flora Hastings herself, as well as of the court, it was necessary that the matter should be cleared up. Immediately after this interview with lady Portman I went to lady Flora for the purpose of making to her this very unpleasant communication; and I need hardly add that I made it in the most delicate terms which I could employ. After a few remarks on the state of her health, I told her that her size had attracted the attention of the ladies, and that it was now my painful duty to acquaint her ladyship that they had, in consequence, been led to suspect that she must be privately married. This was the mode, and these were the words in which the painful communication was made.

I urged lady Flora, for obvious reasons, if there were grounds for this suspicion, to acknowledge the fact, and if not, to see another physician at once, to put an end to the rumour. Lady Flora denied that there were any grounds whatever for the suspicion, and named sir Charles Clarke, who, she said, had known her from her childhood, as the physician she would wish to be called in; but she declined, notwithstanding my earnest entreaties, to see him on that day. This refusal, after the reasons which I had given, lessened very considerably the effect upon my mind of her ladyship's denial.

After the interview with lady Flora, it remained for me to communicate what had passed to her royal highness the duchess of Kent. I therefore informed lady Flora

that I was going to her royal highness for that purpose: to the propriety of this lady Flora immediately assented. I accordingly went to the duchess of Kent, and stated the nature of the interview I had had with lady Flora. Her royal highness immediately expressed her entire disbelief of any thing injurious to lady Flora's character, and she asked me my opinion. However reluctant I felt to express any doubts on the subject after lady Flora's declaration, I could not decline giving a conscientious reply to her royal highness's question; and I answered to the effect that the suspicions I previously entertained were not removed.

In the course of the evening of the day on which I made the communication to lady Flora Hastings, I received a note from her ladyship, of which the following is a copy:—

“Saturday.

“Sir,—Although I think you perfectly understood me this morning, that I did not wish you to take any steps without hearing from me, it is perhaps better to obviate the possibility of any mistake that I should distinctly say so. I shall be governed entirely by her royal highness's wishes and orders.

“Your's sincerely,

“FLORA ELIZ. HASTINGS.”

I heard nothing more on the subject till the afternoon of the following day (Sunday, February 17th), when I received another note from lady Flora; of which the following is a copy:—

“Sir,—By her royal highness's command, I have written to ask sir Charles Clarke to name an hour this afternoon to come to me. He has answered my note by coming,

and is now here. Could you come and meet him? Yours sincerely,
"F. E. HASTINGS."

On receiving this note, I immediately went to lady Flora, and found sir Charles with her ladyship. He stated to me, in lady Flora's presence, as part of the conversation he had had with her, that he urged her, if there were any grounds for the suspicions entertained, to admit the fact now, as after the examination it would be too late.

After this conversation, lady Flora requested that lady Portman might be called in. On her arrival, lady Flora retired to her chamber, where her maid was in attendance. After sir Charles Clarke had made an examination, he returned with me to the sitting-room, and stated, as the result, that there could be no pregnancy; but at the same time, he expressed a wish that I also should make an examination. This I at first declined, stating it to be unnecessary; but, on his earnestly urging me to do so, I felt that a further refusal might be construed into a desire to shrink from a share of the responsibility, and I accordingly yielded. After finally consulting, we gave the following certificate:—

(COPY OF CERTIFICATE.)

"*Buckingham Palace, 17th Feb. 1839.*

"We have examined with great care the state of lady Flora Hastings, with a view to determine the existence or non-existence of pregnancy, and it is our opinion, although there is an enlargement of the stomach, that there are no grounds for suspicion that pregnancy does exist, or ever did exist.

(Signed)

"CHARLES M. CLARKE, M. D.
JAMES CLARK, M. D."

Before parting with lady Flora, both sir Charles Clarke and myself pressed upon her ladyship the expediency of her appearing on that day at table as usual.

Such is a plain statement of the leading facts of this unfortunate case, so far as I am concerned. That I was unable to ascertain the true nature of lady Flora's state, I at once admit, and most deeply regret; but when the difficulties which frequently occur in cases of this description, even where every facility is afforded for investigation, are considered, it can scarcely be made a matter of reproach to me that, amidst the disadvantages under which I laboured, I was unable to affirm that lady Flora's change of appearance was the result of disease, and of disease alone. If even sir Charles Clarke did not venture to express a positive opinion until after a careful examination, it will be readily conceded that no other person could have done so without recurring to some similar proceeding. And if anything further were required to establish the difficulties of this very peculiar case, and the heavy responsibility attaching to a decision on it, sir Charles Clarke knows that there are other facts connected with it, which prove in the most unequivocal manner both the one and the other; facts which do not throw the slightest shade of doubt on the purity of lady Flora, nor are matter of blame to any one, but which it is not necessary to bring before the public.

The *post mortem* examination established the fact, that the death of lady Flora Hastings was occasioned by extensive disease, dating its origin "at some former and distant period of time;" and yet such was the obscurity of the

symptoms which, during life, accompanied the disease, that its nature became evident a few weeks only before lady Flora's death; and the fact of its having involved every organ within the abdomen, was revealed only by the *post mortem* examination.

I think it right to notice, in this place, a part of my conduct which may at first sight appear censurable. I allude to the admission of my suspicion that lady Flora might be pregnant, before I had been permitted more fully to examine into her state. Under almost any other circumstances, it would have been highly improper for me to have answered an inquiry on such a subject; but as I could not authoritatively remove suspicions founded upon appearances, which, taken alone, would in a great majority of cases indicate what was feared, and not the singular state of disease revealed after the death of lady Flora, I felt it my duty, considering the very peculiar responsibility which attached to me, to confide the doubt which was in my own mind to those who had a right to demand my real opinion, and who, I felt assured, could not use it in a manner unfriendly to lady Flora.

I shall now notice such parts of the publication of the marquis of Hastings as more particularly relate to me. An extract is given by his lordship from a letter written by lady Flora Hastings to the dowager marchioness of Hastings, dated March 13th, nearly a month after the event, in which it is stated that, at my visit to communicate to lady Flora the suspicions entertained respecting her, I became "violent and coarse, and even attempted to browbeat" her ladyship! I hope I may refer to my

character alone as a sufficient reply to this accusation; moreover, on the occasion referred to, there could be no motive for such conduct. The earnestness that I may have shown in my manner, could have for its object only that lady Flora, for her own sake, should see sir Charles Clarke on that day. In corroboration of my own solemn disavowal of the conduct imputed to me, I refer to the two notes already given in my narrative, which I received from lady Flora Hastings within twenty-four hours after the very occasion on which I am said to have thus acted; and, consequently, at the very time when all her feelings may fairly be supposed to have been more excited by the alleged conduct than at any subsequent period; and, as still more direct evidence, I would further refer to lady Flora's letter to her uncle, Mr. Hamilton Fitzgerald, dated March 8th, in which, although written for the express purpose of making her griefs known to a relative, with whom she had no motive for reserve, and therefore, in the very circumstances, calculated to elicit complaint, not a word escapes her blaming my conduct or language, during either of my interviews with her. On the contrary, expressions occur which she surely could not have used had she really then felt that I had acted towards her in an unfriendly manner.

That lady Flora intended to misrepresent what actually occurred, I do not for a moment believe. Under the circumstances of excitement in which she was placed, it need not create surprise that she should unconsciously have allowed impressions, arising out of discussions which afterwards took

place, to grow upon her mind, till she at length confounded them with facts, or that she should have greatly exaggerated what did actually take place. It is only in this way that I can account for some of the statements made by lady Flora Hastings.

Her ladyship's written account of the circumstances which took place during the interview on the 16th of February, at which we alone were present, differs widely from my recollection of them. I think it necessary to notice two points in particular. The first is, the alleged diminution of lady Flora's size. On this I shall only observe, that I could discover no such diminution, else I should have been too happy to have availed myself of the circumstance to clear lady Flora's character, and to have relieved myself from a very embarrassing position. The second is, that I told lady Flora that she must submit to a "medical examination." I not only never used such an expression, but never heard it employed for what it has been assumed to imply, till after the unfortunate matter was over; in fact, I then believed that a full external examination would prove sufficient to decide the matter. Every thing, consequently, which has been asserted, about a "medical examination" having been suggested by the ladies, or by me, is utterly groundless.

The only other parts of lord Hastings's correspondence which require notice from me are two charges brought forward by his lordship. The first consists of a statement said to have been received from lady Flora's own lips, that the examination "was conducted with more than ordinary

disregard to delicacy, and to her feelings." In corroboration of this charge, his lordship has referred to a deposition on oath, by lady Flora's maid, "That the conduct of sir James Clark and lady Portman was unnecessarily abrupt, indelicate, and unfeeling!" I notice this charge in passing, merely to give it a peremptory denial. The other charge is in the following words: "Some questions having been put to my sister, and answered, it was suggested that the inquiry ought not to proceed further, and that they might now feel quite satisfied. Sir James Clark objected, and stated, that the ladies of the court would not be satisfied without the strictest examination; and that if lady Flora knew her own innocence, she could have no reason to oppose the most complete scrutiny." The simple reply to this is, that no such suggestion was ever made, and no such objection ever urged. Upon what authority lord Hastings makes this statement, he has nowhere mentioned, and I am utterly at a loss to conceive, unless indeed it be on that of the foreign maid to whose oath he before refers, and whose knowledge of English may not have been sufficient to enable her fully to understand what was passing. But I cannot avoid expressing my regret that his lordship did not procure the testimony of the only witness present during the whole consultation—sir Charles Clarke—before he made such grave charges. Had he followed this course, I venture to affirm they never would have been made. Sir Charles Clarke, although he might not have thought it proper to discuss with lord Hastings the details of what passed at the consultation, could

not have hesitated, had he been appealed to, to refute such groundless accusations.


It remains for me now only to repeat my sincere regret that I was unable to relieve lady Flora Hastings at once from every suspicion. No one has felt more acutely than myself, during the whole of this painful affair, the distress occasioned to lady Flora and her family, whether arising from the original circumstances or from the matter being afterwards forced into public notice.

Deeply painful as it has been to

me to see my name so long associated with alleged acts and motives at which my very nature revolts, the consciousness of my own rectitude, the friendship of those who, from long and intimate acquaintance, know me to be incapable of the conduct imputed to me, and a firm reliance on justice being ultimately done to all parties, have supported me under an accumulation of attacks such as few professional men can have been subjected to.

JAMES CLARK, M. D.

George-street, 7th October, 1839.

 In consequence of the unusual press of matter under the head of "Chronicle," it has been found necessary to defer the "Law Cases" containing the important ones of "Wood and others v. Goodlake and others," and "Queen v. Bolam," to the volume for 1840.

P A T E N T S.

SAMUEL Clegg, of Sidmouth-street, Gray's-inn-road, engineer, for a new improvement in valves and the combination of them with machinery.

Thomas Nicholas Raper, of Greek-street, Soho, gentleman, for improvements in rendering fabrics and leather waterproof.

William Hickling Burnett, of Whar-ton-street, Bagnigge-wells-road, gentleman, for new and improved machinery for sawing, planing, grooving, and otherwise preparing or working wood for certain purposes.

John Swain Worth, of Manchester, merchant, for an improved machine for preparing and cleaning wool for manufacturing purposes.

Robert Logan, of Trafalgar-square, for a new cloth or cloths constructed from cocoa-nut fibre, and for certain improvements in preparing such fibrous materials for the same and other purposes.

William Ponsford, of Wangye-house, Essex, gentleman, for an improvement in the manufacture of hats, and an improved description of felt, suitable for hats and various other useful purposes, and improvements in preparing the material or materials chiefly used in the manufacture of such felt.

John Wilson, for improvements in the process of manufacturing alkali from common salt.

Charles Wye Williams, for improvements in the means of preparing the vegetable materials of peat, moss, or bog, so as to render it applicable to several useful purposes, particularly for fuel.

John Milling, for improvements in locomotive steam-engines to be used upon railways and other roads, part or parts of which improvements are applicable to stationary steam-engines or to machinery in general.

John M'Dowall, for improvements in the machinery for sawing or cutting timber, and in the mode of applying power to the same.

John Howard Kyan, of Cheltenham,

Gloucester, esq., and **William Hyatt**, of Lower Fountain-place, City-road, Middlesex, engineer, for improvements in steam-engines.

Charles Gabriel baron de Suaree, of Red-lion-square, colonel in the French service, and **William Pontifex**, of Shoe-lane, London, copper-smith, for a new mode of obtaining dyes, colours, tannin, and acids from vegetable substances.

Richard Prosser, of Birmingham, C.E. for certain improvements in apparatus for generating steam, consuming smoke, and heating apartments.

Thomas Hall, of Leeds, brass-founder, for a new combination or arrangement of parts, forming an improved furnace for consuming smoke, and economising fuel, applicable to steam-engine boilers and other furnaces.

William Nash, of Budge-row, merchant, for certain improvements in the construction of bridges, viaducts, roofs, and other parts of buildings.

William Joynson, of St. Mary Cray paper mills, Kent, paper-maker, for a certain improvement, or certain improvements, in the manufacture of paper.

Thomas Sweetapple, for an improvement or improvements in the machinery for making paper.

Richard Smith, for improvements in the means of connecting metallic plates for the construction of boilers and other purposes.

Thomas Pratt, of South Hylton, Durham, mechanic, for an improved capstan and winch for purchasing or raising ships' anchors, without the application of a messenger, in which there is no fleeting or surging, and for drawing or working of coals and other articles and things out of coal and other mines; and also for the drawing and working on rail-roads, by drawing pulleys with flat or round ropes.

Moses Poole, of Lincoln's-inn, gentleman, for certain improvements in tanning.

John Dickson, of Brook-street, Holborn, engineer, for certain improvements in rotatory steam-engines.

Walter Hancock, of Stratford, in the county of Essex, engineer, for certain improvements in steam boilers and condensers.

John Clark, of Upper Thames-street, London, engineer, for a new or improved form or construction of a leg and foot for propelling carriages on rail or common roads, and a new combination or arrangement of machinery for locomotive carriages, by means whereof the weight of the load to be carried is rendered applicable as a part of the power for moving or propelling the carriage on which it is supported or rests.

Charles Schafhaout, of Cornhill, London, gentleman, for an improved method of smelting copper ore.

Thomas Horton, of Princess-end, Stafford, boiler-maker, and Thomas Smith, of Horseley-beath, in the same county, mine agent, for certain improvements in the making or constructing of chains for pits, shafts, mines, or other purposes.

Alexander Francis Campbell, of Great Plumstead, Norfolk, esq., and Charles White, of Norwich, mechanic, for certain improvements in ploughs.

John Ruthven and Morris West Ruthven, of Edinburgh, civil engineers, for improvements in boilers for generating steam, economising fuel, and propelling vessels by steam or other power, and ventilating vessels, and which may be applied to mines and buildings.

Edward Law, of Downham-road, Kingsland, gentleman, for certain improvements in evaporating sea water and other fluids, and in the manufacture of salt.

George Nelson, of Milverton, Warwick, chemist, for a new or improved method, or new or improved methods, of preparing gelatine, which has the properties of or resembles glue.

Henry Montagu Grover, of Boveney, Buckingham, clerk, for improvements in brewing by the use of a material not hitherto so used.

Edmund Butler Rowley, of Manchester, surgeon, for an improved steam-engine, applicable to locomotive, marine, and stationary purposes.

William Newton, of Chancery-lane, for certain improved machinery for cutting and removing earth, which machinery is applicable to the digging of canals and the levelling of ground for rail-roads or ordinary roads and similar earth-works.

Alexander Borland, of Paisley, in Renfrew, in Scotland, for a machine for measuring water and other liquids, and registering the quantity thereof.

Sir James Caleb Anderson, of Buttevant Castle, Cork, bart., for certain improvements in locomotive engines, which are partly applicable to other purposes.

Joseph Rayner and Joseph Whitehead Rayner, late of Birmingham, Warwick, but now of the city of Coventry, C. E., and Henry Samuel Rayner, of Ripley, Derby, C. E., for divers new and important improvements in machinery for roving, spinning, and twisting cotton, flax, silk, wool, and other fibrous materials.

John Leigh, of Manchester, Lancaster, surgeon, for an improved mode of obtaining carbonate of lead, commonly called white lead.

John Robinson, of North Shields, Northumberland, engineer, for an invention of a nipping lever for causing the rotation of wheels, shafts, or cylinders, under certain circumstances.

Jose Francisco Carlos d'Artem, of the Haymarket, gent., for improvements in machinery for transmitting power, whereby the effect of such power is increased without loss of speed.

John Potter, of Ancoats, Manchester, spinner, and William Horsfall, of Manchester, card-maker, for an improvement or improvements in cards for carding various fibrous substances, part of which improvements may be used as a substitute for leather.

David Stead, of Great Winchester-street, London, merchant, for an improved mode or method of making or paving public streets and highways, and public and private roads, paths, courts, and bridges, with timber or wooden blocks.

Antonio Movillon, of Dorset-place, Dorset-square, gent., for improvements in machinery for propelling ship's boats and other vessels on water, designed to supersede the use of paddle-wheels.

Wilton Wood, of Liverpool, Lancaster, merchant, for improved methods of making bands and tackling, to be used in driving, turning, or carrying machinery.

John Gray, of Liverpool, engineer, for certain improvements in steam-engines and apparatus connected therewith, which improvements are particularly applicable to marine engines for propelling boats or vessels, and part or

parts of which improvements are also applicable to locomotive and stationary steam-engines and other purposes.

William Hale, of Greenwich, Kent, for improvements in steam-engines and apparatus connected therewith, and in machinery for propelling vessels, part of which improvements are applicable to raising or forcing fluids.

C. Gabriel, baron de Suaree, and William Pontifex, for a new mode of obtaining vegetable extracts.

John Boyd, of College-street, and Hugh Francis Rennie, of Gleadall-street, Belfast, flax-spinners, for certain improvements upon the spinning frame used for spinning flax, hemp, and tow, upon the wet principle.

Joseph Hunt, of Dalston-terrace, Middlesex, gentleman, for improvements in the manufacture of soda and other valuable products from common salt.

James Whitelaw, of Glasgow, for an improved rotary machine, to be worked by the pressure and re-action of a column of water, which machine may be used as a steam-engine; also an improved water-meter, and a machine for raising water or other liquid by its centrifugal force.

Edward Oliver Manby, of Swansea, civil engineer, for a new method of manufacturing gas for the general purposes of illumination.

Martial Augustin Joseph de Herripon, of Leicester-street, St. Martin-in-the-fields, mining engineer, for an improved machine or apparatus for washing or bleaching wool, cotton, silk, linen, and other fibrous materials, either in a manufactured or unmanufactured state.

Thomas Clark and Charles Clark, of Wolverhampton, iron-founders and co-partners, for an invention for glazing and enamelling cast-iron hollow ware, and other metallic substances.

James Nasmyth, of Patricroft, near Manchester, engineer, for certain improvements applicable to the bearings or journals of locomotive and other steam-engines, which improvements are also applicable to the bearings or journals of machinery in general.

Elisha Haydon Collier, late of Boston, North America, but now of Globe Dock factory, Rotherhithe, Surrey, civil engineer, for improved machinery for manufacturing nails.

William Watson, of Temple-street, Dublin, gent., for an improvement in

the construction of ships, and which improvement is also applicable to all kinds of sea-going vessels; and also certain improvements in the construction of boats, and other vessels intended to be used in canals and inland navigation.

Goldworthy Gurney, of Bude, in the county of Cornwall, esq., and Frederick Rixon, of Cockspur-street, Pall Mall, for improvements in the apparatus for producing and distributing light.

Charles Chubb, of St. Paul's Church-yard, London, and Jeremiah Chub, of Red Lion-street, Clerkenwell, mechanist, for improvements in apparatus and machinery, for preserving books and other papers, documents, and articles from fire.

William Graunsell, of Louth, Lincoln, machine-maker, for improvements in apparatus for drilling corn, grain, pulse, and manure.

Nicholas Harcey, of Hayle, Cornwall, and William West, of St. Blasey, in the same county, mechanist, for an improved valve for machines for raising water and other liquids.

William Watson, of Temple-street, Dublin, gentleman, for an improvement in the construction of ships.

Edward Loos, of Air-street, Piccadilly, chemist, for improvements in extracting the saccharine matters from sugar canes and other substances of a saccharine nature.

Alexander Francis Campbell, of Great Plumstead, Norfolk, esq., and Charles White, of the city of Norwich, mechanic, for improvements in ploughs, harrows, scarifiers, cultivators, and horse-hoes.

Bryan I. Auson Bronwick, of Clifton-Tone, gentleman, for improvements in machinery to be worked by the application of the expansive force of air or other elastic fluids to obtain motive power.

Henrick Zander, of North-street, Sloane-street, gentleman, for improvements in steam engines, steam boilers, and condensers.

Matthew Punshon, of Norfolk-street, Blackwall, engineer, for an improved steam engine, certain parts of which improved steam engine are applicable to steam engines on the ordinary construction.

Wilton George Turner, of Park-village, Regents'-park, and Herbert Minton, of Longfield-cottage, Stoke-venton of corrosion in metals, and for other purposes.

upon-Trent, Stafford, for an improved porcelain.

John Alexander Phillip de Val Marino, of Margaret-street, Cavendish-square, for certain improvements in the manufacture of gas, and in the apparatus employed for consuming gas for the purpose of producing light.

Joseph Jennings, of Beason Bridge, Cornwall, assayer, for a process for obtaining metal from pyrites or mundic.

William Vickers, of Twis Hill, Sheffield, steel manufacturer, for an improvement in the manufacture of cast steel.

John Arrowsmith, of Bilston, Stafford, civil engineer, for certain improvements in steam engines.

Claude Schroth, of Leicester-square, gentleman, for certain improvements in the process, manner, or method of embossing or producing raised figures, designs, or patterns on leather or such like materials, and in the manner or means used for effecting the same; also in the making or forming of certain tools or apparatus used therein.

William Newton, of Chancery-lane, civil engineer, for certain improvements in the construction of sun dials, designed to show mean time.

William Hickling Burnett, of Wharton-street, Bagnigge-wells-road, Middlesex, gentleman, for improved machinery for cutting or working wood.

George Nelson, of Leamington Priors, Warwick, gentleman, for a certain new or improved method, or new or improved methods of preparing gelatine, which has the properties of, or resembles glue.

William Morgan, of New Cross, Surrey, gentleman, for improvements in the generation of steam.

R. T. Beck, new or improved apparatus or mechanism for obtaining power and motion, to be used as a mechanical agent generally, which he intends to denominate "*Rotæ Vivæ*."

James Yates, of the Effingham works, Rotherham, iron founder, for certain improvements in making, forming, or producing raised or projecting letters, mouldings, figures, or other ornamental work for external decorations of buildings, and other purposes.

George Philcox, of Southwark-square, watchmaker, for certain improvements in chronometers, watches, and other time keepers.

John Ericsson, of Cambridge-terrace, Hyde-park, civil engineer, for an improved steam-engine, particularly applicable to locomotive purposes, and steam navigation.

Peter Rothwell Jackson, of Great Bolton, Lancaster, engineer, for a new and improved method of mangling, callendering, glazing, and finishing cotton, linen, woollen, and other goods and manufactures, and certain machinery to effect the same.

James Yates, of the Effingham works, Rotherham, iron founder, for certain improvements in the construction of cupola furnaces for melting metals.

John George Shuttleworth, of the Mount, near Sheffield, soap-boiler, for a new mode of obtaining a rotary motion from the rectilinear motion of the piston rod of a steam or other like engine.

Peter Robert Drummond, Lord Willoughby de Eresby, for improvements in compressing peat.

James Kay, of Pendleton, near Manchester, cotton-spinner, for an extension of the term of three years from the 26th July, 1839, for a new and improved machinery for preparing and spinning flax, hemp, and other fibrous substances by power.

James Templeton, manufacturer in Paisley, and also William Quigley, weaver in Paisley, for their invention of machinery for a new and improved mode of manufacturing silk, cotton, woollen, and linen fabrics.

Thomas Clark and Charles Clark, of Wolverhampton, Stafford, ironfounders and co-partners for glazing and enamelling cast-iron hollow-ware and other metallic substances.

Alexander Gordon, of Fludyer-street, Westminster, Middlesex, engineer, for a new machine or apparatus, for employing or using steam or other elastic fluid as a motive power, the same having been communicated to him by a certain foreigner residing abroad.

William Colchester, of Ipswich, merchant, for an improved soap-frame.

Sir John Scott Lillie, of Kensington, knight, for certain improvements in the application of elastic fluids to the working of machinery.

Robert William Jearrad, the younger, of Oxford-street, architect, for certain improved means of retarding wheeled carriages.

John Fitzpatrick, of Stanhope-street, Clare-market, gentleman, for a new and

improved method of making and manufacturing thread and linen by means of a material not hitherto used for that purpose, (A communication.)

Miles Berry, of Chancery-lane, for a new or improved method of obtaining the spontaneous reproduction of all the images received in the focus of the camera obscura.

Stephen Joyce, of Croydon, Surrey, artist, for certain improvements in stoves for warming the air in buildings, which improvements are also applicable for cooking or for communicating heat for other useful purposes.

John Augustus Tulk, of Seaton and Lowen iron works, Cumberland, iron master, for improvements in the manufacture of iron.

Thomas Mac Gauran, of Golden Terrace, Pentonville, Middlesex, for improvements in the manufacture of paper from a material not hitherto so employed.

Theodore Cotelte, of the Haymarket, Middlesex, civil engineer, for improvements in extracting salt from sea or salt water, and rendering it pure and drinkable, and in purifying other waters.

George Holworthy Palmer, of Surrey-square, county of Surrey, civil engineer, for certain improvements in paddle-wheels, for propelling ships, boats, or other vessels navigated by steam or other motive power.

Thomas Wilkinson, for certain improvements in the construction of tram or railways, and in the carriages to be used thereon.

Isaac Dodds, of Masbro, and William Owen, of Rotherham, York, civil engineers, for certain improvements applicable to railways, and in the construction and manufacture of wheels, engines, and machinery to be used thereon, part or parts of which are applicable to other engines, and which wheels, without a flange, are also applicable for use on turnpike-roads.

William Newton, of Chancery-lane, for an improved machine or apparatus for weighing various kinds of articles or goods, (A communication.)

Barclay Farquharson Watson, of Lincoln's-inn-fields, Middlesex, solicitor (communication from a foreigner residing abroad), improvements in crushing or preparing New Zealand flax (*phormium tenax*).

Joseph Clinton Robertson, of Peterborough-court, Fleet-street, patent

agent, for an improved method of manufacturing artificial marble. (A communication.)

Francis Maceroni, of Saint James's-square, Middlesex, gent., for improvements in steam boilers or generators.

William Henry Burke, of Shoreditch, for improvements in the mode of constructing vessels for containing air, applicable to the purpose of raising sunken or lifting floating bodies under or in water; and of fastening such vessels to chains or other machinery, or apparatus to be used for raising or lifting such bodies.

Samuel Hall, of Basford, Nottingham, engineer, for improvements in machinery for propelling.

James Smith, of Deanston Works, Kilmadock, Perth, cotton spinner for a self-acting temple, applicable to looms for working fabrics, whether moved by hand or power.

James Smith, of Deanston Works, Kilmadock, Perth, cotton spinner, for certain improvements applicable to canal navigation.

George Graydon, of Sloane-street, Chelsea, for certain improvements in instruments, for which letters patent were formerly granted to him, and which were called therein, "A new Compass for Navigation and other Purposes," part of which improvements are applicable to instruments for measuring angles at sea or on shore, by aid of reflection or refraction, or of reflection combined with refraction, and part are applicable to magnetic compasses for ascertaining true bearings from celestial observations, and for comparing the same with the bearing of the magnetic needle contained in such compasses, whereby to determine and be enabled to allow for the deviation of such needle from the true meridian, whether by variation, local attraction, or other cause of error.

Peter Lomax, of Bolton-le-Moors, Lancaster, weaver, for certain improvements in looms for weaving.

Robert Stewart, of North Woodside, near Glasgow, ironsmith, for an improved crane for raising stones or other heavy substances from quarries or other works.

Frederick Augustus Glover, of Charlton, near Dover, clerk, for an improved instrument for the measurement of angles.

Henry Crosley, of Hooper-square,

Leman-street, engineer, for an improved battery or arrangement of apparatus for the manufacture of sugar.

James Murdoch, of Great Cambridge-street, Hackney-road, mechanical draftsman, for certain improvements in marine steam engines.

Thomas Yates, of Bolton-le-Moors, manufacturer, for certain improvements in the construction of looms for weaving, and also the application of the same, in order to produce certain descriptions of goods or fabrics by steam or other power.

Miles Berry, of Chancery-lane, for an invention or discovery by which certain textile or fibrous plants are rendered applicable to making paper and spinning into yarns, and weaving into cloth, in place of flax, hemp, cotton, and other fibrous materials commonly used for such purpose (being a communication).

John Farand, of Middlewich, Chester, gent., for certain improvements in the mode of constructing, applying, and using railway switches for connecting different lines of railway, or two distinct railways; and for passing locomotive, steam, and other engines and railway carriages and waggons, from the one to the other of such railways, and for certain apparatus connected therewith.

Robert Hawthorn and John William Hawthorn, of Newcastle-upon-Tyne, civil engineers, for certain improvements in locomotive and other steam-engines in respect of the boilers and the conveying of steam therefrom to the cylinders.

John Hunt, of Greenwich, engineer, for an improved method of propelling and steering vessels.

Richard Horneby, of Spittlegate, Lincoln, agricultural machine maker, for an improved machine for drilling land, and sowing grain and seeds of different descriptions, either with or without bone or other manure.

Alexander Borland, of Paisley, Renfrew, accountant, for a machine for measuring water and other liquids, and registering the quantity thereof.

James Ulric Vaucher, of Mount-street, Grosvenor-square, Middlesex, for certain improvements in fire-engines and other hydraulic machines, and apparatus for raising or propelling water and other fluids, some of which improvements are also applicable to steam-engines.

James Craig, of Newbattle Paper

Mills, Newbattle, Edinburgh, for an invention of an improvement or improvements in the machinery for manufacturing paper.

George Davey, of Llandudno, Carnarvon, mining agent, for an improved mode of applying water power.

George Lowe, engineer to the Chartered Gas Company, and John Kirkham, engineer to the Imperial gas company, both of London, for improvements in the manufacture of gas for purposes of illumination.

James Naasmith, of Patricroft, near Manchester, engineer, for certain improvements applicable to railway carriages.

Thomas Richardson, of Newcastle, chemist, for a preparation of sulphate of lead applicable to some of the purposes for which carbonate of lead is now applied.

David Morison, of Wilson-street, Finsbury, ink maker, for improvements in printing.

John Robinson, of North Shields, engineer, for an improved steering apparatus.

John Wood, of Burslem, Stafford, manufacturer of mineral colours, for a new method or process in the application and laying on of the substances used in the printing, colouring, tinting, and ornamenting of china, porcelain, earthenware, and other wares of the same description, by which such wares can be painted and ornamented with flowers and other devices in a much cheaper and more simple and expeditious manner than by any process now in use, and colours of all or any variety may be painted, shaded, mixed, and blended together in one and the same design or pattern, and hardened or burnt into the substance of the aforesaid wares by a single process of firing or hardening in the enamelling kiln.

Henry Francis Richardson, of iron-monger-lane, gent., for improvements in omnibusses.

Thomas Firmstone, of Newcastle, coal master, for improvements in the manufacture of salt.

Thomas Kerr, esq., of Forecrofts, Dunse, Berwick, for a new and improved mortar or cement for building and other purposes.

Charles Dod, of 21, Craven-street, Strand, Middlesex, gent., (a communication by a certain foreigner residing abroad,) for certain improvements in the

construction of railways and tram roads, and in the carriages to be used thereon and otherwise.

T. N. Raper, for improvements in rendering fabrics and leather waterproof.

H. Zander, for improvements in steam engines, steam boilers, or condensers.

Samuel Hall, for improvements in steam engines, and in propelling.

John Leo Nicolas, of Clifton, Bristol, gent., for certain improvements in the method of constructing and propelling carriages on railways and common roads, and through fields for agricultural purposes.

Charles Greenway, of Douglas, in the Isle of Man, esq., for certain improvements in reducing friction in wheels of carriages, which improvements are also applicable to bearings, and journals of machinery.

John Ridgway, of Cauldon-place, Stafford, china manufacturer, and George Wall, the younger, of the same place, gent., for certain improvements in the mode of preparing bats of earthenware and porcelain clays, and of forming or shaping them into articles of earthenware and porcelain, and in the machinery, or apparatus applicable thereto.

Charles Wheatstone, of Conduit-street, Hanover-square, esq., and William Fothergill Cooke, of Sussex cottage, Slough, esq., for improvements in giving signals, and sounding alarm at distant places, by means of electric currents.

James Bingham, of Sheffield, manufacturer, and John Amory Boden, of the same place, manufacturer, for certain improved compositions which are made to resemble ivory, bone, horn, mother of pearl, and other substances applicable to the manufacture of handles of knives, forks, and razors, pianoforte keys, snuff boxes, and various other articles.

James Hancock, of Gloucester-place, Walworth, for a method of forming a fabric or fabrics applicable to various uses, by combining caoutchouc or certain compounds thereof with wood, whalebone, or other fibrous materials, vegetable or animal, manufactured or prepared for that purpose, or with metallic substances manufactured or prepared,

Thomas Kerr, of Forecrofts Dunse, in the county of Berwick, esq., for a new and improved mortar or cement for building, also for mouldings, cast-

ings, statuary, tiles, pottery, imitations of soft and hard rocks, and other useful purposes, and which mortar or cement is applicable as a manure for promoting vegetation and destroying noxious insects.

William Winsor, of Rathbone-place, artists' colourman, for a certain method or certain methods of preserving and using colours.

William Maltby, jun., of Mile End, chemist, and Richard Cuerton, jun., of Percy-street, brass founder, for improvements in extracting and concentrating the color, tanin, and other matter contained in vegetable and animal substances.

Etienne Robert Gaubert, of Paris, professor of mathematics, for certain improvements in machinery or apparatus for distributing types or other typographical characters into proper receptacles, and placing the same in order for setting up after being used in printing.

Samuel Seaward, of the Canal Iron Works, Poplar, engineer, for certain improvements in the construction of steam-engines, and in the application of steam-engines to propelling ships and other vessels.

Sir William Burnet, of Somerset House, Middlesex, knight, for improvements in preserving animal, woollen, and other fibrous substances from decay.

William Newton, of Chancery-lane, civil-engineer, for certain improvements in the strengthening and preserving of ligneous and textile substances. (A communication from a foreigner.)

James Hay, of Belton, Scotland, captain in the Royal Navy, for an improved plough, which he titles the "Belton Plough."

Henry Philip Rouquette, of Norfolk street, Strand, merchant, for a new pigment. (A communication from a foreigner.)

Harrison Blair, of Kearsley, manufacturing chemist, and Henry Hough Watson, of Little Bolton, chemist, for an improvement or improvements in the manufacture of sulphuric acid, crystallized soda, and soda ash, and the recovery of a residuum or residuums applicable to various useful purposes.

William Grimman, of Camden-street, Islington, modeller, for a new mode of wood paving.

Arthur Wall, of Bermondsey, surgeon, for a new composition for the pre-

Frank Hills, of Deptford, manufacturing chemist, for certain improvements in the construction of steam-boilers and engines, and of locomotive carriages.

Henry Montague Grover, of Boveney, Buckingham, clerk, for an improved method of retarding and stopping railway trains.

Auguste Moinan, of Philpot-terrace, Edgeware-road, clock-maker, for certain improvements in the construction of time-keepers.

Rice Harris, of Birmingham, gent., for certain improvements in cylinder plates and blocks, used in printing and embossing.

George John Newbery, of Cripple-gate-buildings, manufacturer, for certain improvements in rendering silk, cotton, woollen, linen, and other fabrics, waterproof.

Henry Dircks, of Liverpool, engineer, for certain improvements in the construction of locomotive steam-engines, and in wheels to be used on rail and other ways, part of which improvements are applicable to steam-engines generally.

Richard Foote, of Faversham, watch-maker, for improvements in alarums.

William Hannis Taylor, of Norfolk-street, Strand, esq., for certain improvements in the mode of forming or manufacturing staves, shingles, and laths, and the machinery used for that purpose.

James Callard Davies, of College-place, Camden Town, jeweller, for an improved clock or time-piece.

Thomas Myerscough, of Little Bolton, county of Lancaster, manager, and William Sykes, of Manchester, machine maker, for certain improvements in the construction of looms, for weaving or producing a new or improved manufacture or fabric, and also in the arrangement of machinery to produce other descriptions of woven goods or fabrics.

James Knowles, of Little Bolton, county of Lancaster, coal merchant, for an improved arrangement of apparatus for regulating the supply of water to steam-boilers.

William Winsor, of Rathbone-place, Middlesex, artists' colourman, for a certain method, or certain methods, process or processes, for preparing, preserving and using colours.

Alexander Angus Croft, of Greenwich, manufacturing chemist, for cer-

tain improvements in the processes of manufacturing gas, and in the production of ammoniacal salts.

Sir Josiah John Guest, of the Dowlais Iron Works, Glamorgan, baronet, and Thomas Evans, of the same place, agent, for certain improvements in the manufacture of iron and other metals.

William Henry Smith, of York Road, Lambeth, civil engineer, for an improvement or improvements in the mode of resisting shocks to railway carriages and trains, and also in the mode of connecting and disconnecting railway carriages, also in the application of springs to carriages.

James Allison, of Monkwearmouth, Durham, iron master, and Roger Lumsden, of the same place, chain and anchor manufacturer, for improvements in the manufacture of iron knees for ships and vessels.

William Pettitt, of Bradwell, Bucks, gentleman, for a communicating apparatus to be applied to railroad carriages.

James Harvey, of Basing-place, Waterloo Road, timber merchant, for certain improvements in paving streets, roads, and ways, with blocks of wood, and in the machinery or apparatus for cutting or forming such blocks.

Robert Hampson, of Mayfield Print Works, Manchester, calico printer, for an improved method of block printing on woven fabrics of cotton, linen, silk, or woollen, or of any two or more of them intermixed, with improved machinery, apparatus, and implements for that purpose.

Alexander Southwood Stoker, of Birmingham, for improvements in the manufacture of tubes for gas and other purposes.

Edward John Carpenter, of Toft Monks, Norfolk, commander in the Royal Navy, for improvements in the application of machinery for assisting vessels in performing certain evolutions upon the water, especially tacking, veering, steering, propelling, casting, or winding and backing astern.

John Aitchison, of Glasgow, merchant, and Archibald Hastie, of West-street, Finsbury-square, merchant, for certain improvements in generating and condensing steam, heating, cooling, and evaporating fluids.

William Daubney Holmes, of Cannon-row, in the city of Westminster, engineer, for certain improvements in the con-

struction of iron ships, boats, and other vessels, and also in means for preventing the same from foundering, also the application of the same improvements, or parts thereof, to other vessels.

G. A. Ermer, for improvements in machinery or apparatus for spinning, doubling, twisting cotton, flax, wool, or other fibrous materials, part of which improvements are applicable to machinery in general.

Sir W. Burnett, for improvements in preserving animal, vegetable, woollen, and other fibrous substances from decay.

Thomas Meyerscough, for improvements in the construction of looms for weaving, or producing a new or improved manufacture or fabric, and also in the arrangements of machinery to produce other descriptions of woven goods and fabrics.

Joseph Getten, of Paul's-chain, London, merchant, for improvements in preparing and purifying whale-oil, being a communication.

Thomas Tassell Grant, esq., an officer in her Majesty's victualling-yard, at Gosport, for improvements in the manufacture of fuel.

John Lambert, of Coventry-street, St. James's, within the liberty of Westminster, gentleman, for certain improvements in the manufacture of soap, being a communication.

James Jamieson Cordes, and Edward Locke, of Newport, in the county of Monmouth, for a new rotary engine.

Moses Poole, of Lincoln's-inn, gentleman, for improvements in fire-arms, and in apparatus to be used therewith, being a communication.

James Roberts, of Brewer-street, Somers'-town, ironmonger, for improved machinery, or apparatus to be applied to the windows of houses or other buildings, for the purpose of preventing accidents to persons employed in cleaning or repairing the same, and also for facilitating the escape of persons from houses, when on fire.

Francis Todd, of Pendennis Castle, Falmouth, gentleman, for improvements in obtaining silver from ores and other matters containing it.

Alexander Angus Croll, superintendent of the Chartered Gas Company's Works, Brick-lane, for certain improvements in the manufacture of gas, for the purposes of illumination, and for the separation or manufacture of materials

to be used in the purification of gas, for the purposes of illuminations.

John George Bodmer, of Manchester, civil engineer, an extension of an invention for the term of seven years, for certain improvements in the machinery for cleaning, carding, drawing, roving, and spinning of cotton and wool.

Rice Harris, of Birmingham, Warwick, gentleman, for certain improvements in cylinders, plates, and blocks, used in printing and embossing.

Robert Cook, of Johnston, in Renfrewshire, engineer and millwright, for the making of bricks by machinery, to be wrought either by steam or other power.

John Hemming, of North Bank, Regent's Park, Middlesex, gentleman, for improvements in gas meters.

Thomas Richardson, of the town and county of the town of Newcastle-upon-Tyne, chemist, for a preparation of sulphate of lead, applicable to some of the purposes to which carbonate of lead is now applied.

Robert Stirling Newall, of Dundee, Forfar, being partly a communication from abroad, and partly by invention of his own, for certain improvements in wire-ropes, and in machinery for making such ropes, which ropes are applicable to various purposes.

John Lothian, of Edinburgh, geographer, for improvements in apparatus for measuring or ascertaining weights, strains, or pressure.

John Jukes, of Shropshire, gentleman, improvements in furnaces, or fire-places, for the better consuming of fuel.

James Harvey, of Basing-place, Waterloo Road, Surrey, timber merchant, for certain improvements in paving streets, roads, and ways, with blocks of wood, and in the machinery or apparatus for cutting, or forming such blocks.

William Henry Bailey Webster, of Ipswich, Suffolk, surgeon in the Royal Navy, for improvements in preparing skins and other animal matters, for the purposes of tanning and the manufacture of gelatine.

Alexander Bow, of Crown-street, Hutchesontown, Glasgow, Lanark, Scotland, builder, for improvements in furnaces and flues, by the introduction and application of hot air thereto, and for the consumption of smoke and economizing fuel.

POETRY

THE BOON OF MEMORY,

A POSTHUMOUS PIECE—BY MRS. HEMANS.

I go! I go!—and must mine image fade
From the green spots wherein my childhood play'd —
By mine own streams?
Must my life part from each familiar place
As a bird's song, that leaves the woods no trace
Of its lone themes?

Will the friend pass my dwelling, and forget
The welcomes there, the hours when we have met
In grief or glee?
All the sweet counsel, the communion high,
The kindly words of trust, in days gone by
Romed full and free!

A boon, a talisman, O Memory! give,
To shrine my name in hearts where I would live
For evermore!
Bid the wind speak of me where I have dwelt,
Bid the stream's voice, of all my soul hath felt
A thought restore!

In the rich rose, whose bloom I lov'd so well,
In the dim brooding violet of the dell,
Set deep that thought!
And let the sunset's melancholy glow,
And let the spring's first whisper, faint and low
With me be fraught.

And Memory answered me—"Wild wish and vain,
I have no hues the loveliest to detain—
In the heart's core:
The place they held in bosoms all their own,
Soon with new shadows fill'd, new flowers o'ergrown,
Is theirs no more."

Hast *thou* such power, Oh Love? and love replied
 "It is not mine!—Pour out thy soul's full tide
 Of hope and trust.
 Prayer, tear, devotedness that boon to gain,
 'Tis but to write, with the heart's fiery rain,
 Wild words on dust.

Then did my heart, in low faint sadness die,
 As from all nature's voices, one reply,
 But one was given:
 "Earth hath no heart, fond dreamer! with a tone
 To send thee back the spirit of their own,
 Seek it in heaven!"

THE ANCIENT CHURCH.

FROM THE CATHEDRAL, OR THE CATHOLIC AND APOSTOLIC CHURCH
 IN ENGLAND.

Unto the East we turn, from the cold bourn
 Of our dull western cave, Faith's pensive mood
 Sets there her tranced eyelid, gathering food
 Of solemn thoughts, which make her less forlorn
 And back to apostolic men is borne.
 There, from her evening and dim solitude,
 She joins the companies of the wise and good,
 Who walk upon the gospel's glorious morn,
 Their dwarf dimensions of mortality
 Seeming to grow upon the golden sky,
 Beyond the cold shade of imperious Rome!
 Ambrose and Basil—either Gregory,
 Clement, and Cyril—Cyprian's earthly home,
 And the free lips of glowing Chrysostom.

EXTRACT FROM "ALCIPHRON."

BY THOMAS MOORE.

Though through my life's short sunny dream,
 I've floated without pain or care,
 Like a light leaf, down pleasure's stream,
 Caught in each sparkling eddy there;
 Though never mirth awaked a strain
 That my heart echoed not again;

Yet have I felt, when even most gay,
 Sad thoughts—I knew not whence or why—
 Suddenly o'er my spirit fly,
 Like clouds, that ere we've time to say
 "How bright the sun is," shade the sky—
 At times so vague, so undefin'd,
 Were those strange darkenings of my mind
 While nought but joy around me beam'd
 So causelessly they've come and flown,
 That not of life or earth they seem'd
 But shadows from some world unknown."

EXTRACT FROM THOMAS A BECKET;

A DRAMATIC CHRONICLE BY GEORGE DARLEY.

JOHN OF SALISBURY, *loquitur*,

Farewell, sweet Woodstock bowers! blissful shades,
 Through whose dim walks, so pleasantly perplexed,
 Oft have I wandered, shadow-like, myself!
 Communing, I have felt the bonds of earth
 Fall gradual from about me, and it seemed
 Leave me at length mere soul, that purest state
 Which man's last hope aspires! Farewell ye lawns.
 Ye silent meadows green, whose golden flowers
 Breathe up rich vapour, as floats o'er the fields
 Of sun-fed asphodel—ye willowy streams,
 By whose wild banks my thoughts and I have strayed—
 Ye verdurous alleys, down whose tuffless sward
 My foot has met no mossy obstacle
 To wake me from my dream, while brow to book
 I walked oblivious of all else, yea, letting
 The insensible hours steal from me—fare ye well!
 I must no longer see thee Woodstock! haply
 Never again!—nor even my native shores!
 "*Nos patriæ fines et dulcia linquimus arva.*"

INDEX.

[N.B. The figures within crotchets refer to the History.]

- ABDUCTION of a child, 184
 Acts, general, list of, 401—Acts, local and personal, 405—Acts, private, 410, 412
 Ammunition, seizure of, in France, 217
 Antipodean speculations, 124, 163
 Apprehension of burglars, 79
 Arithmetical prodigy, 112
 Assassination, attempt at, 34
 Assault, cases of, 99, 118, 145, 151, 169, 176, 177, 192, 249
 Attwood, Mr. T. letter from, on resigning his seat for Birmingham, 273
 Auchterarder case, [300]; proceedings in the Court of Session, judgment, [301]; appeal to the House of Lords—meeting of the General Assembly, motions of Dr. Cook, Dr. Chalmers, and Dr. Muir, [302]; Dr. Chalmers' motion carried, [303]; 277
 Aurora Borealis, 159
 Balloon accident, 65
 Ballot, Mr. Grote's motion for the, [273]
 Bank of England, its transactions with the Bank of France, raises the rate of discount, [289]; *vide* PARLIAMENT
 Bankrupts, number of, 416
 Banquet at Goldsmith's Hall, 126—at Dover, to the Duke of Wellington, 155
 BELGIUM—Territorial differences with Holland—provisions of the 24 articles, [401]; treaty carried in the Chambers by a majority of 21—objections of Holland, [402]; protocol of Dec. 6; 1838, [403]; the cabinet of the Hague accepts the treaty—recommendation of the Belgian Secretary for Foreign Affairs, [404]; motion referred to the sections, vehement debate—passes the Senate, [405]
 Benevolent conduct of Alderman Pirie, 198
 Bills of mortality, 416
 Birmingham, riots at, 103, 109, [281], [305]; conduct of the magistrates, 272
 Births, 283
 Bloomsbury case, the, 147
 Bradshaw, Mr. his speech at Canterbury, [311]
 BRITISH INDIA *vide* INDIA
 Brougham, Lord, reported death of, 209
 BRUNSWICK, NEW, loyal demonstration of the House of Assembly in consequence of the outrages on the Canadian frontier, [349]
 BUENOS AYRES, blockade of by the French, [259]; *vide* PARLIAMENT
 Burglary and Arson, 43
 Butchers' meat, average prices of, 415
 Cæsarian operation, 47
 Cambridge University Examinations, 419; *vide* Riot
 CANADA — Lord Durham's report, [173]; enmity between the two races, emigrants, [174]; state of the schools, [175]; summary of the proceedings in parliament for the legislation of, [207]; meeting of the provincial parliament of Upper Canada, speech of the Lieutenant-governor, [348]; answer to the speech, [349]; Mr. Poulett Thomson succeeds Sir J. Colbourne; return of Sir J. Colbourne to England and elevation to the peerage; resolutions of the special council, [350]; *vide* PARLIAMENT—UNITED STATES
 Canadian prisoners, judgment on, 70
 Carriage accidents, 101, 134
 Charter, the Manchester, 152
 Chartists, proceedings of the, [303]; national convention, [304]; riots at Birmingham, [305]; at Newport, [314]; progress of Frost and his followers, [315]; dispersion and trial of the rioters, [316]; Chartist riots and meetings at Devizes, 49; Llanidloes, 66; drilling at Manchester, *ib.*; committal of Vincent and others, 68; great meeting on Kersal Moor, 72; at Birmingham, 103, 109; on Clerkenwell-green, 112; "Little Waddington" the bill-sticker, 117; at Newcastle — at Stockport, 127;

INDEX.

Chartists—*continued.*

at Manchester, 132; on Kennington-common, 140; at Church, 150; at Sheffield, 164; *vide* PARLIAMENT

CHINA—Collision between the Chinese authorities and the British subjects at Canton—Captain Elliot's proceedings, [427]; the whole of the Opium delivered to the Chinese; the British leave Canton, [428]

Church of Scotland, 267, 275; Auchterarder case, 277

— rates, new way of paying, 127; *see* Law

Civic progress on the Thames, 119

Clover, average prices of, 415

Coach burnt on a railway, 202

— robbery, 199

Colliery accidents, 29, 40, 100, 227

Collision at sea, 159, 171

Colonial waste lands, Mr. Ward's resolutions concerning, [228]; *vide* PARLIAMENT

Concealment of a stolen watch, 159

Convent, new one, at Dockhead, Bermondsey, 268

Corn, British, average prices of, 415

— laws, agitation against the, [16], [28]; *vide* PARLIAMENT

Courageous conduct, 196

Credulity, extraordinary, 237

Cruelty to apprentices, 199

Death from drinking, 18; extraordinary one, 104

DEATHS:—

Aboyne, Countess of, 360

Ackroyd, W. Esq. 374

Adam, Rt. Hon. W. 324

Adam, W. G. Esq. 340

Alnallie, Lieut.-general, G. R. 333

Airy, A. and G. 350

Alexander, J. D. Esq. 359

Alison, Rev. A. 357

Allen, Mr. J. 373

Allen, T. (Ben Brace), 327

Antrobus, Hon. Mrs. C. 367

Archdall, General M. 357

Ardagh, Archdeacon of, 371

Argyll, Duke of, 370

Arnold, Lieut.-colonel R. 369

Aston, Lieut. A. W. H. 380

Astor, Mr. J. 327

Aust, Mrs. C. 334

Aylmer, J. Esq. 376

Backhouse, Mrs. M. 319

Bacon, P. Esq. 367

Bagot, R. Esq. 376

Baldwin, Mrs. 352

Barclay, Sir R. 358

Deaths—*continued.*

Barker, E. H. Esq. 330

Barnely, P. Esq. 365

Barr, J. Esq. 363

Barra, Captain J. 353

Bassano, Duc de, 341

Bather, J. Esq. 372

Bathurst, Hon. Mrs. C. 342

Battier, Mr. 336

Bayly, T. H. Esq. 335

Beadon, Mrs. 376

Beaucher, Lady, K. F. 332

Bedford, Duke of, 369

Bedford, G. C. Esq. 344

Beechy, Sir W. 321

Beetham, W. Esq. 366

Bell, W. Esq. 357

Belt, R. Esq. 377

Bentinck, Lady J. H. 363

Bentinck, Rt. Hon. Lord W. H. C. 344

Beresford, Lieut.-general G. T. 371

Betham, Rev. W. 370

Bethell, Mrs. M. 367

Bethune, E. Esq. 344

Blackburn, E. B. Esq. 357

Blackburn, Mrs. S. 370

Blackburne, Major-gen. Sir W. 369

Blair, Miss, 337

Blagrove, Mrs. Colonel 322

Blunt, Lady, 371

Boaden, J. Esq. 323

Bobart, T. H. Esq. 313

Bold, H. Esq. 352

Bond, Rear Admiral F. G. 370

Borghese, Prince de, 348

Branitska, Countess, 321

Breay, Rev. J. G. 375

Brenton, Captain E. P. 332

Brenton, Mrs. C. 325

Brocas, B. Esq. 357

Brogie, Duchess de, 331

Bromley, Hon. Lady, 374

Bromley, Mr. J. C., 331

Brough, A. Esq., 381

Brougham, H. Esq., 368

Brougham, Hon. Miss E. L., 374

Brougham, Mrs. E., 380

Broussais, M., 342

Brown, J. Esq., 318

Browne, Mrs. E. D. P., 339

Brydges, Sir J. W. H., 363

Buchan, Countess of, 327

Buckingham, Duke of, 316

Buonaparte, Princess Charlotte, 328

Burnett, General W., 327

Busfield, Mrs. C., 337

Buxton, Sir R. J., 344

Cabanel, R. Esq., 322

Caldwell, Major-general Sir A., 376

Caledon, Earl of, 336

INDEX.

Deaths.—*continued.*

Cameron, Hon. D., 321
 Campbell, Lady, 369
 Carew, Lady, 363
 Carnwath, Lieutenant-general Earl of, 313
 Carvick, Mrs. M. B., 371
 Castlemaine, Viscount, 315
 Cavendish, H. C. L. Esq., 367
 Chabannes, Marchioness de, 371
 Chadborn, Mr. J., 357
 Chamberlayne, Miss H. C. E. C., 367
 Chambers, J. Esq., 354
 Chambers, Lady, 333
 Champneys, Sir T. S. M., 373
 Chapman, J. Esq., 354
 Chardonnay, Marquess de, 331
 Chester, Rev. W. 327
 Chetham, Master C., 370
 Christie, A. B. L. Esq., 360
 Churchill, Lady, E. C., 381
 Churchill, Mrs. H. A., 371
 Claneboye and Dufferin, Lord, 373
 Clarke, Lieutenant-colonel, A. 348
 Clarke, R. G. Esq. 367
 Clarkson, W. C. Esq. 376
 Clayton, Major Sir R. 358
 Clements, Viscount, 319
 Clive, T. Esq. 343
 Coffin, Admiral Sir I. 354
 Colburn, Z. 343
 Coleman, E. Esq. 349
 Colpoys, Lady, 357
 Colville, Lady, 359
 Const, F. Esq. 377
 Constable, Rev. R. 367
 Coore, Mrs. 376
 Copleston, Mrs. Margaret, 315
 Corbett, M. Esq. 329
 Corbett, Mrs. M. A. 366
 Cornwal, Miss M. J. 357
 Corrie, J. Esq. 358
 Courant, C. H. Esq. 372
 Cox, S. C. Esq. 330
 Craig, J. Esq. 371
 Craven, Hon. Mrs. G. 359
 Crawford, Sir J. G. 353
 Crawshaw, W. Esq. 362
 Cumming, Mrs. 342
 Cunningham, A. Esq. 348
 Cuthell, Mr. W. 377

Dalhousie, Countess Dowager of, 318
 Dallas, Lieutenant-general Sir T. 368
 Daponte, Signor, 322
 Daubuz, L. C. Esq. 376
 Davidson, C. J. Esq. 331
 Davidson, Mrs. E. D. 344
 Davy, Rev. M. 341
 Dawson, Hon. and Rev. W. 327
 Dawson, J. Esq. 353

Deaths.—*continued.*

De Camp, V. Esq. 354
 De Roos, Lord, 330
 Devereux, Hon. H. C. 364
 Devon, Countess of, 377
 Devonshire, Rear-admiral Sir J. F. 325
 Dillon, Colonel C. H. 352
 Dixon, Mrs. M. F. 373
 Douglass, Admiral J. 344
 Downes, Mr. C. 373
 Doyle, Sir F. H. 372
 Drake, Sir F. H. 350
 Drummond, Lady M. 364
 Duff, General Sir J. 375
 Duncumb, Rev. J. 364
 Dunlop, Sir J. 331
 Dynely, J. Esq. 325

Earle, W. Esq. 315
 Egerton, C. T. Esq. 323
 Egerton, Lady E. 381
 Elford, Lady, 370
 Elley, Lieutenant-general Sir J. 318
 Elliot, Mr. R. 356
 Ellis, Sir W. C. 370
 Entwistle, A. Esq. 343
 Essex, Earl of, 335
 Estcourt, Miss H. J. B. 354
 Evans, Lieutenant-colonel W. V. 350
 Evelyn, L. Esq. 337
 Eykyn, J. Esq. 316
 Eyre, Vice-admiral Sir G. 323

Falconer, Rev. T. 325
 Farmer, S. Esq. 340
 Farquhar, Major-general W. 339
 Fesch, Cardinal, 339
 Field, Mr. G. 372
 Field, Mr. W. 322
 Filmore, Captain, J. 342
 Fisher, T. Esq. 339
 Fitzgerald, Lady, 324
 Fitzgerald, Sir J. 366
 Fitroy, Lady E. 330
 Forbes, M. Esq. 360
 Ford, Colonel, 333
 Ford, Mrs. 373
 Ford, Sir F. 333
 Fowke, Rev. G. M. 334
 Fraser, J. J. Esq. 339
 Fraser, Lady, 363
 Frederick VI. King of Denmark, 374
 Froude, Mrs. M. 344
 Fuller, Major-general, 332

Galt, J. Esq. 332
 Gambier, Mr. 350
 Gardner, Mrs. D. 331
 Garrett, Mrs. J. 342
 Gerard, Captain A. 376

INDEX.

Deaths—continued.

Gilbert, D. Esq. 377
 Gilman, J. Esq. 343
 Godson, S. Esq. 344
 Goforth, Rev. F. 324
 Goldsmid, E. Esq. 313
 Goodden, W. Esq. 353
 Goodyear, Mr. J. 367
 Gordon, H. Esq. 317
 Gordon, J. Esq. 381
 Gordon, Sir F. 372
 Gordon, W. Esq. 372
 Gosling, hon. Mrs. C. 369
 Gould, Lieut. N. 381
 Greenly, Lady Coffin, 319
 Greville, Mrs. S. 330
 Grey, C. Esq. 350
 Grierson, Sir R. 358
 Griffin, Mr. W. 371
 Griggs, J. Esq. 327
 Grose, Mrs. E. 340

 Hackett, Baron, 360
 Halket, Admiral Sir P. 368
 Hall, Mrs. C. 344
 Halliday, Sir A. 363
 Hamilton, Dr. J. 373
 Hammick, Dr. S. L. 381
 Hammond, C. Esq. 331
 Handfield, Commander E. 323
 Hankin, G. Esq. 372
 Hardy, Vice Admiral Sir T. M. 365
 Hare, J. Esq. 315
 Harris, H. Esq. 339
 Harvey, Captain G. L. 327
 Hastings, Lady F. 351 [307]
 Hatton, Mrs. (Ann of Swansea) 313
 Haviland, Mrs. J. R. 330
 Hawker, Lieut.-general Sir S. 313
 Hawkins, Captain E. 336
 Hay, Rev. W. R. 376
 Heise, J. O. Esq. 360
 Herbert, Dr. 336
 Herring, Colonel, 363
 Hesse Homburgh, Louis William
 Frederic, Landgrave of, 318
 Hicks, Lady, 337
 Hill, Rt. Hon. Sir G. F. 328
 Hilton, W. Esq. 379
 Hoare, Mrs. C. 323
 Holford, G. P. Esq. 336
 Holroyd, J. Esq. 381
 Holt, Mr. T. 372
 Home, D. Esq. 321
 Honeywood, E. Esq. 360
 Hope, H. P. Esq. 375
 Houlton, J. Esq. 324
 Howard, Hon. and Rev. B. 356
 Howden, General Lord, 356
 Hubburdy, J. L. Esq. Deputy High
 Steward of Cambridge, 310

Deaths—continued.

Hughes, A. Esq. 322
 Hughes, Lady, 337
 Huyshe, Rev. F. 360

 Ibbetson, Sir C. 332
 Ingliss, Miss S. A. 336
 Innes Miss, 376
 Irby, Hon. Miss A. 358
 Irby, Hon. W. D. 369
 Ireland, J. Esq. 346

 Jackson, Mr. J. 357
 Jarvis, Captain H. 322
 Jarvis, Mrs. A. A. 367
 Jekyll, Commander J. 323
 Jenkin, T. Esq. 360
 Jervis, Hon. W. J. 313
 Johnson, Captain, 330
 Johnson, Lieut.-Colonel, 334
 Jolliffe, Mrs. M. E. 368
 Jones, Colonel L. G. 329
 Jones, Sir T. J. T. 367
 Joyce, Captain J.

 Kamper, Professor N. G. Van, 329
 Kaposany, Baron Appel de, 322
 Kidman, Mrs. 360
 Kier, Miss, J. 368
 King, Lieut.-General Sir H. 373
 King, Miss G. 364
 Kingston, Earl of, 369
 Kinnaird, Mr. W. 368
 Kitchingmann, Rev. H. 316
 Knott, T. Esq. 353
 Kyle, H. Esq. 318
 Kynaston, Rev. Sir E. 336

 La Marche, J. B. Esq. 348
 Labouchere, P. C. Esq. 316
 Lacon, Sir E. K. 343
 Lambert, Hon. R. W. 378
 Lancaster, Mr. Joseph, 310
 Lander, Mr. J. 373
 Lauderdale, Earl of, 363
 Langlois, M. 313
 Langford, Lord, 343
 Lascelles, Viscount, 377
 Latham, Mrs. A. 343
 Lawrence, J. Esq. 317
 Leggett, H. Esq. 311
 Leigh, J. B. E. W. B. Esq. 342
 Leigh, P. B. Esq. 339
 Leman, Sir J. 343
 Lennard, Rev. D. B. 318
 Leslie, Hon. General D. 313
 Lichfield, Bishop of, 375
 Lieven, Prince, 318
 Lindsay, Lady E. M. 342
 Lindesay, Major-general Sir P. 343

INDEX.

Deaths—continued.

Linnæus, Mad. L. 330
 Lloyd, D. Esq. 373
 Lodge, E. Esq. Clarendieux King at Arms, 316
 Lomax, E. S. Esq. 324
 Lonsdale, J. Esq. 317
 Love, commander W. 333
 Lucan, Earl of, 350
 Ludolf, Count, 327
 Lushington, M. Esq. 340
 Lushington, Mrs. S. 377

Macfarlane, Lieut.-Colonel A. 360
 Mackenzie, Mrs. E. 357
 Mackie, Major W. 364
 Maclean, C. H. Esq. 358
 Maclean, Major-general Sir J. 365
 Maclean, Mrs. 373
 MacMichael, Dr. W. 315
 Magnay, A. J. Esq. 331
 Mahmoud II., 349
 Maitland, Hon. Lieutenant-colonel J. 317

Majendie, Mrs. 373
 Makenzie, Mrs. H. M. 372
 Mansel, J. C. Esq. 331
 Mansel, Rev. W. F. 357
 Mansfield, J. Esq. 315
 Marriott, G. R. Esq. 343
 Martin, Baron, 331
 Martin, H. Esq. 353
 Martin, J. S. Esq. 358
 Martin, Lady C. S. 352
 Martley, J. Esq. 362
 Master, Rear-admiral J. 359
 Maule Captain G. S. 369
 Maule, Colonel F. 370
 Mebeux, J. Esq. 371
 Merceron, J. Esq. 353
 Merriman, J. Esq. 345
 Middleton, Mrs. E. 348
 Mildmay, A. Esq. 330
 Mildmay, Mrs. A. 329
 Miles, R. Esq. 346
 Millard, S. W. Esq. 371
 Millhouse, R. Esq. 333
 Milnes, Sir J. B. 330
 Molesworth, Hon. Mrs. M. 331
 Monely, R. M. Esq. 373
 Montague, Lady, 354
 Montalembert, Dowager Countess, 327
 Monteagle, Lady, 381
 Montgomery, Sir J. 342
 Monypenny, Captain, 329
 Monzani, T. Esq. 353
 Moore, Rev. T. 321
 Mori, Mr. 346
 Morier, D. Esq. 336
 Mount-Edgcumbe, Earl of 366

Deaths—continued.

Mountjoy, Viscountess, 349
 Mumford, J. 365
 Munster, Count, 342
 Murdoch, W. Esq. 373
 Murray, Lieutenant J. E. F. 353
 Musgrave, J. Esq. 362

Need, Lieutenant-general S. 350
 Neilson, Mr. J. 374
 Newman, R. F. Esq. 373
 Nibi, Professor, 380
 Nisbett, Lady, 317
 Nixon, Lieutenant, 336
 Noleken, Lieutenant-colonel Baron G. 321
 Norbury, Earl of, 314
 Nourrit, M. A. 328
 Nurse, hon. J. B. 353

Oakley, Lady, 325
 Os, M. Van. 343
 Osinaki, Louis, 310

Paer, Fernando, 338
 Paget, Vice-admiral Sir C. 319
 Palmer, Mr. J. H. 346
 Pare, General J. 357
 Paris, Archbishop of, 379
 Parker, Mrs. H. 373
 Parry, Lady, 340
 Parsons, H. Esq. 317
 Pastorini, J. Esq. 349
 Paterson, Lady, 376
 Peel, R. Esq. 333
 Peterborough, Bishop of, 337
 Phillips, Mr. H. 367
 Phillpott, Major-general H. 329
 Pincke, Mrs. M. 371
 Polack, S. Esq. 362
 Pomfret, Dowager Countess of, 364
 Porter, Rev. J. T. 332
 Poulter, Mrs. 343
 Powell, Lady, 348
 Powis, Earl of, 340
 Praed, W. M. Esq. 353
 Price, B. Esq. 332
 Price, S. G. Esq. 345
 Prickett, Rev. M. 328
 Prinn, G. B. P. Esq. 316
 Pritzler, Lieutenant-general Sir T. 333
 Pryer, R. Esq. 328
 Prony, Baron de, 354
 Prosser, Rev. R. 368
 Pusey, Mrs. M. C. 342
 Radstock, Lady, 368
 Ramsden, Sir J. 343
 Ranfurly, Countess of, 373
 Rankin, R. Esq. 362

INDEX

Deaths.—continued.

Read, W. H. Esq. 343
 Reinhold, Mad. A. 331
 Rendlesham, Lord, 364
 Rennell, T. Esq. 376
 Rensselaer, General S. Van. 319
 Reynolds, L. Esq. 372
 Ricardo, Miss M. 337
 Richards, W. Esq. 331
 Richardson, Lady 327
 Richardson, Rev. R. 366
 Ricketts, Mrs. L. 337
 Rickwood, R. Esq. 321
 Rigaud, S. P. Esq. 329
 Rimington, J. Esq. 366
 Robertson, T. Esq. 362
 Robinson, A. Esq. 362
 Robinson, L. H. Esq. 333
 Rodd, R. Esq. 362
 Rogers, Colonel, 368
 Rooke, Mrs. H. S. 339
 Rose, Mrs. S. 334
 Rose, Rev. H. J. Principal of King's
 College, London, 311
 Ross, Mrs. 337
 Rossi, C. Esq. 327
 Rothery, S. Esq. 323
 Rousseau, G. Esq. 350
 Row, Mr. W. 353
 Rowsell, W. Esq. 374
 Rush, Mr. H. 346
 Russell, Sir W. 366

 Sabine, Mrs. M. 342
 St. Aubin, Sir J. 358
 St. Helens, Lord, 325
 Salisbury, Marchioness of, 368
 Salter, C. Esq. 323
 Sandes, T. W. Esq. 362
 Saunders, G. Esq. 356
 Saunders, Major W. 358
 Saunders, Mr. A. 357
 Saurin, Mrs. A. 363
 Saurin, Right Hon. W. 323
 Saxe Weimar, Prince William of,
 342
 Scholey, Mr. Alderman G. 367
 Sealey, B. Esq. 333
 Seckerson, P. Esq. 344
 Selby, H. C. Esq. 323
 Sewell, Hon. J. 373
 Shafto, J. Esq. 332
 Shaw, T. Esq. 346
 Shulldham, A. L. Esq. 356
 Shutt, W. Esq. 354
 Shutz, T. Esq. 376
 Sidney, M. Esq. 349
 Sidney, Mrs. L. M. 353
 Sims, W. U. Esq. 373
 Singh, Maha Rajah Runjeet, 348
 Singleton, H. Esq. 364

Deaths.—continued.

Slack, J. Esq. 373
 Slade, Major C. 349
 Smith, Captain J. W. 334
 Smith, Captain J. W. 334
 Smith, F. C. Esq. 339
 Smith, J. Esq. 319
 Smith, Sir C. S. 357
 Smith, W. Esq. 360
 Smyth, Major General J. N. 310
 Smyth, Miss P. 339
 Smythe, Lieut.-Colonel E. L. 358
 Sotheran, Admiral F. 322
 Sparks, Lieutenant, 336
 Speranski, Count, 327
 Spinluff, G. L. Esq. 327
 Staines, E. Esq. 336
 Stanhope, Commander R. H. 328
 Stanhope, Lady H. 346
 Stapleton, T. Esq. 350
 Stapylton, Miss E. S. 374
 Stephenson, Major General Sir B. C.
 344
 Steuart, General Sir J. 358
 Stewart, Hon. Mrs. M. 370
 Stewart, J. M. Esq. 340
 Still, Rev. J. 331
 Stirling, T. Esq. 319
 Stoddart, J. F. Esq. 362
 Stoddart, Major G. D. 318
 Stopford, Lady M. F. 334
 Strangways, Rev. E. 327
 Strangways, S. F. Esq. 328
 Stringer, M. Esq. 380
 Sudeley, Lady, 343
 Sutherland, Duchess Dowager of, 319
 Sutton, Miss D. M. 318
 Symmes, Lieutenant A. H. S. 359

 Talbot, Hon. G. H. 344
 Tamworth, Dowager Viscountess, 368
 Tavel, Lady A. 348
 Taylor, A. C. P. Esq. 323
 Taylor, E. Esq. 359
 Taylor, General, Hon. R. 342
 Taylor, Lieut.-General Sir H. 334
 Teague, T. Esq., 329
 Tennent, W. T. D. Esq. 362
 Terrott, General, 365
 Thomas, Lieutenant J. R. 343
 Thomas, Mrs. E. 367
 Thomson, A. Esq. 336
 Thomson, J. P. Esq. 319
 Thomson, R. Esq. 339
 Thomson, T. Esq. 373
 Thornely, W. Esq. 337
 Throckmorton, Lady, 318
 Thurlow, W. H. Esq. 329
 Tonkin, W. H. Esq. 328
 Topping, Rev. J. 354
 Trant, Major General Sir N. 369

INDEX.

Deaths.—*continued.*

Travers, F. Esq. 339
 Trimlestown, Lord, 367
 Trollope, Admiral Sir H. 371
 Tuam, Archbishop of, 330
 Turner, Rev. G. 372
 Turnerelli, P. Esq. 330
 Turvile, F. F. Esq. 350
 Tylden, Mrs. E. 328

Underwood, Rev. T. 360

Vaughan, Sir J. 366
 Vendramini, J. Esq. 332
 Vipond, Mr. M. 374
 Vivian, J. E. Esq. 339
 Voogd, H. 374

Waldegrave, Hon. Captain W. (R.N.)
 311

Walsh, Lieut.-General A. 358
 Walsingham, Lord, 363
 Walterstorf, Countess, 349
 Warde, J. Esq. 310
 Warren, Lady, 378
 Warren, Rear-Admiral Sir S. 369
 Warrington, C. T. Esq. 366
 Watson, Mrs. H. W. 368
 Watson, Venerable J. J. 344
 Webb, E. Esq. 364
 Wedderburn, Colonel A. 355
 Wedderburn, J. Esq. 331
 Wellesley, Lady E. 377
 Welsh, Rev. R. R. 342
 Wemyss, General D. D. 362
 White, Mrs. M. 367
 Widdrington, Lieut.-General Sir D.
 L. T. 350

Wilkins, W. Esq. 362
 Willett, J. W. Esq. 381
 Willford, Marquis de, 316
 Williams, Colonel Sir T. 346
 Williams, W. Esq. 322
 Willington, Mrs. J. E. 337
 Winder, Mrs. A. C. C. 340
 Winnington, Sir T. E. 368
 Wood, J. P. Esq. 313
 Wood, Rev. R. 377
 Wood, Very Rev. J. 335
 Woolnough, Commander J. C. 333
 Wordsworth, Mrs. C. 339
 Wrexall, Lady, 368
 Wrede, Field Marshal Prince, 311
 Wray, Rev. B. W. 359
 Wright, Mr. F. 331
 Wright, W. Esq. 354
 Wroniecki, General, 321
 Wurtemburgh, H. R. H. the Duchess
 Alexander, 313, [368]
 Wyndham, Lieut.-General T. N. 341

Deaths.—*continued.*

Ximenes, Lieut. 321

Yeates, Mr. T. 367
 Young, Miss, 341

Zetland, Earl of, 325
 Zouche, Dowager Lady de la, 381

Debt, Public, Funded, 394; Unfunded, 396
 Dinner under the Thames, 162
 Disqualification for a juror, 144
 Dover, entertainment at, to the Duke of
 Wellington, 155
 Drowning, 65, 83, 84, 157, 219
 Drury-lane Theatre, financial state of,
 117
 Duels between the Marquess of London-
 derry and Mr. H. Grattan, M.P. 80;
 Lord G. Loftus and Lord Harley, 265

Earthquake, 211

EAST INDIES *vide* INDIA

Education, national, provision for, [140]
vide PARLIAMENT

EGYPT *vide* TURKEY

Embezzlement at the Bank at Liver-
 pool, 120; at Falmouth, 129
 Emigration from Ireland—meeting to
 promote, 212
 Exchequer Bills, funding of, [390]; *vide*
 PARLIAMENT

EXECUTIONS.—Five Canadian rebels at
 Montreal, 28; at Hertford, Taylor
 for the murder of a pensioner 44; in
 South Australia, 76; in Sydney, 84;
 at Athens, 135; of Lees, 269

Expenditure, public, 384
 Explosions of Steam-boilers, 32, 174;
 at a Fire-work makers', 218

Fall from Sunderland Bridge, 269
 — of a house at Edinburgh, 28

False witnesses, 68

Fatal mistake, 190

Felony—a distressing case, 162, 270

Festivities in the Highlands, 189

Fete at Branzholm, 188

Fight between Railway labourers, 200

Fighting in the streets, an M.P. and a
 Captain in the Navy, 65

Finance Accounts, 382

Fine, infliction of a—Fish dealing at
 Billingsgate, 144

Fines—at Morden, 10; Dublin, 30;
 Warfield, 45; Mountnessing, 48;
 Cheltenham Theatre, 67; in Buck-
 lersbury, 71; at Collumpton, Devon,
 105; Spitalfields, 107; Manchester,
 148; New York, 186, 229; in Wide-
 gate Alley, Bishopsgate-street, 231

INDEX.

- Forgery, case of, 10; at Edinburgh (the Earl of Stirling) 69; of a frank 106; at Plymouth, 124
- FRANCE — General remarks, [352]; opening of the Session — King's speech, [364]; election of M. Dupin, president—debate on the address in the Peers, [355]; Count Molé's observations on the evacuation of Ancona, [356]; official censure of the Bishop of Clermont—committee for drawing up the address of the Chamber of Deputies, [357]; declaration of M. Dupin, [358]; capitulation of St. Juan d'Ulloa—discussions on the address—M. Guizot's speech, [359]; Count Molé, M. Theiers, [360]; M. Martin du Nord, [361]; M. Amilhan's amendment, [362]; M. Sauzet, first paragraph of the address carried by a majority of 7. M. Lasnier's amendment to the third paragraph, [363]; discussion on the evacuation of Ancona, [365]; the French possessions in Africa, [367]; close of the debate after twelve days discussion with a majority of 13 for the ministers, [368]; resignation of the Molé administration, [369]; return to office—dissolution of the Chambers, [370]; state of the country—riots—annual report on the Bank of France, [371]; the revenue, [372]; the elections, 'results—second resignation of the ministers — provisional cabinet appointed—opening of the session by commission, [373]; M. Passy elected president—questions of M. Mauguin, [374]; explanations of M. Dupin, [375]; M. Thiers, [376]; M. Guizot, [377]; Marquess of Dalmatia—M. Passy, [378]; M. Teste, M. Lamartine, General Bugeaud, M. Odillon Barrot, [379]; M. Passy's projected cabinet, its fate, [380]; apathy of the public—impatience of the Chambers M. Mauguin's motion—insurrection of the 12th of May, [381]; proceeding of the rioters—tranquillity restored—fate of the delinquents—appointment of the Soult administration, [382]; proceedings and close of the session, [383]
- Freedom of conscience, 278
- French Queen, assault on the, 204
- Frost, John, Lord J. Russell's correspondence with, 22 — *vide* Newport
- German publications, 229
- Glasgow, riotous proceedings at, 71
- Gold-dust robbery, 48, 91
- Grants, disposition of, 385
- HANOVER:—General assembly of the states, [405]; constitution of 1833 annulled in favour of that of 1819; dissolution of the board of privy council, [406]; creation and opening of the new council of state; protests of the chambers; prorogation; final judgment of the diet, [407]; the diet decline interference in the construction of the constitution; commission appointed by the King, [408]
- Hastings, Lady Flora, case of, [307]; 463, 466
- Hay, average prices of, 415
- Highway robbery, 210
- Hoax—Lord Brougham's death, 209
- HOLLAND *vide* BELGIUM
- Homoeopathy, 206
- Huntingdon maiden assize and curious manorial custom, 116
- Huntley, Marquess of, affairs of, 211, 268
- Hurricanes, storms, &c. 4, 83, 104, 176
- Identity, question of, 1
- Imposition, extraordinary, 26
- Income, public, 382
- INDIA:—[317]; state of the Affghan empire; Cabool; Peshawur, [318]; Candahar; dismemberment of the Affghan empire, [319]; Herat; dispute with Persia; arrival of Mr. Ellis at Tehran, [320]; Russian influence, [321]; expedition against Herat, [322]; arrival of an envoy from Herat, [324]; Russian agent captain Vicovich; mission of Captain Burnes to Cabool, [325]; his proceedings, [327], [328]; Herat unsuccessfully besieged, [329]; Mr. M'Neill's negotiation, [330], [332]; failure of the assault of Herat; Lieutenant Pottinger, [333]; siege of Herat raised; explanations demanded by Lord Palmerston from the Russian Court, [335]; Count Nesselrode's note and explanation, [336]; recall of Count Simonich and M. Vicovich, [337]; camp at Simla, [338]; the Governor-general's declaration of war, [339]; Sir H. Fane's address to the army of the Indus; interview between the Governor-general and Runjeet Singh, [340]; march of the army; the Bengal division cross the Indus at Bukkur; the whole army assembles at Shikarpore, [341]; the defiles of the Bolam; sufferings of the troops;

INDEX.

India—continued.

- treachery of the Khan of Khelat, [342]; entry of Shah Soojah at Candahar; storming of Ghiane, [343]; the British army enter Cabool; Dost Mahomed retires to Bokhara; Khelat taken by storm; honours conferred on the Governor-general, &c.; capture of Aden, [344]; death of Runjeet Singh; persecution of Christians in Cochin China and Tonquin; deposition of the Rajah of Sattarah; capture of Kurnoul, [345]
 Infanticide, 20, 38, 152, 198
 Infernal machine, 240
 Inquests, 79, 99, 131, 143, 183, 195, 207, 226, 232, 247, 249, 266
 Insolvency, declarations of, 416
 Intimidation of workmen, 233
 Inundation in the west of England, 205; in Ireland, 208, 276; in Hertfordshire, &c. 241
 IRELAND:—present state of, [4]; assassination of Lord Norbury, [38]; meeting of magistrates at Tuilamore, [39]; their resolutions; the precursor society, [40]; Mr. O'Connell's system of agitation, [61]; introduction of the poor-law, [298]

JAMAICA:—proceedings of the House of Assembly, relative to the bill for the government of West India prisons, [96]; resolutions of the assembly, [97]; assembly dissolved, [98]; observations, [345]; recall of Sir L. Smith; appointment of Sir C. Metcalfe; his address to the house of assembly, [346]; Mr. Dallas' resolutions; answer to the address, [347]

Kentish rioters, the, 134

Land slip in Dorsetshire, 277

- LAW:—Abduction, cases of, 19, 34
 Appeal case, 90
 Arches Court, Grant v. Grant, 12
 Assault, Bone v. Davy, 254
 Church-rate riot at Truro, 51
 Commissions of lunacy, 156, 266
 Compensation for a prosecution, Williams v. Pantou, 100
 Consistory Court, Lockwood v. Lockwood, 234
 Court of Chancery (Dublin), Pike v. Vigors, 8
 Crim Con, Pemberton, v. Hamilton, 56; Larkins v. Lewis, 81
 Defamation, Dyer v. Hazlewood, 17
 Dock Company Shares—the South-

Law—continued.

- ampton Dock Company v. Richards, 240
 False imprisonment, Hay v. Bush, 16
 Liabilities of a husband, Harvey v. Norton, 276
 Libel—Sir John Conroy v. "The Times," 16; Harmer v. the "Bristol Mercury," 68; Stockdale v. Hansard, 75, 230; the Queen v. Frost, 78; Field v. Austin, 86; Milne v. Horne, 105; "The Northern Star," 115; Stephen v. "The South Australian," 208; Sir J. O'Maney v. "The United Service Journal," 219; Sir C. Shaw v. "The Manchester Chronicle," 224; Jones v. "The Dublin Evening Mail," 253; Somers v. "The Age," 257; Chancellor v. "The Age," 258; Ingram v. "The Times," 267
 Misdemeanour, the Rev. J. Stephens, 48
 Trespass, Lewis v. Ponsford, 249;
vide TRIALS

Law decisions, 232

Lightning, death by, 167

Lord Mayor's day, 228

Lunacy, Commissions of, *vide* LAW

Lunatic asylum, ill-usage at a, 7

Mackenzie, trial of, in America, 84

Mail robbery, 79

MALTA:—Address moved by Lord Brougham for disallowing the ordinance, [220]

Manlaughter, John Bull, 21; Francis Medhurst, 45, 61; extraordinary cases of, 56, 210; George Coker, 136

Mendicants, profits of, 132

Meteorological table, 416

MEXICO:—Dispute with France, [425]; Admiral Baudin takes up a position before Vera Cruz; bombards the fortifications; takes possession of the castle of St. Juan d'Ulloa; treaty entered into, [426]; ratification of the treaty; hostilities between the federalists and the central government, [427]

Ministers, list of the, 279

Ministry, (the Melbourne), resignation of the, [118], [119]; singular paragraph in the Globe newspaper, [129]; Hon. W. Cowper's address, [130]; Lord Brougham's observations, [131]; alterations in, [307]

INDEX.

Mortality, bills of, 416

MURKINS:—of the Earl of Norbury, 3; of a sister by her brother, 7; near Lenham, Kent, 19; at Paddington, 27; at Dundee, 31; of a poacher, 33; at Mountnessing, 37; at Easton 39; at Bانشا, 42; near Newark, 46; at Manchester, *ib.*; at Carlow, *ib.*; of a son by his father, 50; at Brighton, 59; of Elizabeth Paynter, 70; at Woolwich, 75; Mr. Westwood, 76; of a father by his son, 106, 210; at Sunderland, 121; of Joseph Millie at Newcastle, 125; at Preston, 141; at Worle, 142; of a police serjeant near Cork, 180, 206; of a wife by her husband, 188, 243; in Philadelphia, 190; of a policeman at Deptford, 191; near Preston, 194; a man by his wife, 196; in new South Wales, 214; at sea, *ib.*; of an infant by its mother, 223; at St. Helen's Lancashire, 256; in France, 264

National Convention, the, 138, 170

National Holiday—the "Sacred Month," 139

Navigation of the United Kingdom, 398
Newcastle, Duke of, dismissal from the Lord-lieutenancy of Nottinghamshire, 67

Newport, Chartist Insurrection at, 221, 249; opening the special commission, 265; trials, 278, *vide* Frost, John

NEW ZEALAND:—Colonizers of 163-171

NOVA SCOTIA:—Resolutions of the House of Assembly for repelling aggressors, [349]—*vide* UNITED STATES

Oath of an Owenite inadmissible, 141

O'Connell, Mr., his loyalty [314]

O'Connor, Feargus, arrest of, 178

Opium eating in England, 272

Oxford, visit of the Grand Duke of Russia and the Prince of the Netherlands to, 72

Oxford University examinations, 417

Palace, attempt of a madman to enter the, 79, 246—*vide* Windsor Castle

PARLIAMENT:—The Queen's speech, [6]; Lord Durham's enquiries relative to the affairs of Canada; the address moved by Lord Lovelace, [8]; seconded by Lord Vernon; Duke of Wellington's speech, [9]; Lord Melbourne's reply, [10]; Lord Brougham's speech, [12]; address in the House of Commons, moved by Mr. E. Bulwer, and seconded by Mr. G. W. Wood, [14]; Mr. T. Duncombe's amend-

Parliament—continued.

ment for further reform, seconded by Mr. Ward, [16]; Mr. Hume, Mr. Brotherton, Mr. O'Connell, and Sir R. Peel, [17]; Mr. Villiers's speech, [20]; Lord J. Russell's reply; Mr. C. Buller, [21]; amendment rejected; sessional orders; Mr. Hume's motion for the omission of a portion of them; Lord J. Russell's observations; Mr. Hume's motion lost; Mr. O'Connell's remarks on the transfer of Limbourg and Luxembourg, [22]; Lord Palmerston's reply, [23]; resignation of Lord Glenelg, [25]; treaty with Austria; publication of Lord Durham's report on Canada in "The Times," [26]; conversation in the House of Lords relative to its appearance in a newspaper previous to its delivery to members of Parliament, [27]; corn-laws, Lord Brougham's motion, [28]; speeches of Lord Melbourne and the Duke of Wellington, [31]; Motion negatived; Mr. Villiers' motion in the House of Commons on the same subject, [32]; Sir F. Burdett, Mr. M. Phillips, Lord Howick, [34]; Mr. Poulett Thomson, Sir R. Peel, [35]; Mr. Villiers' reply; motion lost by a majority of 189, [37]; Mr. Shaw's motion for returns of committals, &c. in Ireland, [40]; Lord Morpeth's reply, [44]; Mr. Colquhoun and Mr. Villiers, Stuart's speeches, [49]; Mr. O'Connell's speech, [50]; debate adjourned; Mr. Lefroy, Mr. French, Sir C. Style; house counted out, [51]; Lord Roden moves for a select committee of inquiry into the state of Ireland; Lord Normanby's speech, [52]; Duke of Wellington's observations, [56]; Earl of Fingall, Lord Melbourne, [57]; Lord Brougham's speech, [58]; Lord Plunkett's speech; motion carried by a majority of 5, [60]; Lord J. Russell's resolution in the House of Commons in consequence; Sir R. Peel's amendment, [62]; Mr. T. Duncombe's amendment; Lord J. Russell's speech, [64]; Sir R. Peel moves his amendment, [67]; Mr. Spring Rice's speech; adjournment of the debate, [70]; speeches of Colonel Percival, Mr. Lascelles, Mr. S. O'Brien; second adjournment, [71]; Mr. Grote's speech, [72]; Mr. Gibson, Sir E. L. Bulwer, Mr. Pigot, [73]; Mr. Shaw; third adjournment; Mr. M. O'Connell, Lord Morpeth, [74];

INDEX.

Parliament—*continued*.

Sir J. Graham; Mr. Duncombe moves his amendment; Sir G. Sinclair's speech, [77]; Mr. Ingham, Mr. Leader, [78]; Mr. Sheil's speech, [79]; Speech of Lord Stanley, [80]; Mr. O'Connell; Sir R. Peel's amendment lost by a majority of 22; Mr. T. Duncombe's rider lost by a majority of 218; Lord Morpeth moves for leave to bring in the Irish municipal corporation's bill, [81]; second reading of the bill carried by a majority of 26; Sir R. Peel's speech, [82]; bill in committee; Mr. Shaw's amendment to clause 20, section C; speeches of Lord Morpeth and Lord Eliot, [83]; Sir R. Peel; amendment negatived; third reading, [84]; second reading in the House of Lords; Lord Brougham, [84]; Lord Melbourne's reply, [85]; bill in committee; Lord Lyndhurst's amendments; Lord Brougham's speech, [86]; amendments carried; bill read a third time and passed; amendments to be taken into consideration by the House of Commons that day three months; Lord Brougham's resolutions on the administration of justice in Ireland, [87]; Lord Melbourne's speech, [92]; Lord Plunket; Lord Brougham's reply; resolutions carried by a majority of 34, [93]; bill to suspend the constitution of Jamaica for five years, brought in by Mr. Labouchere, [98]; Mr. Goulburn, Sir G. Grey, [99]; Mr. Gladstone, [100]; Sir R. Peel, [101]; Sir S. Lushington, [102]; Lord Stanley, Lord J. Russell, [103]; second reading of the bill; Sir R. Peel's speech; counsel heard against the bill, [104]; committal of the bill moved; Sir R. Peel, [105]; Mr. Labouchere, [109]; Mr. Godson, Mr. C. Buller, [111]; Sir G. Grey, Mr. Maclean, Sir E. Wilmot, [113]; Mr. Grote, Mr. Warburton, [114]; Mr. Gladstone, [115]; Sir S. Lushington, Lord Stanley, [117]; Lord J. Russell; majority in favour of going into committee, 5, [118]; resignation of ministers; Lord J. Russell, [119]; Sir R. Peel's explanation of his failure to form an administration, [120]; Lord J. Russell's reply, [125]; Sir R. Peel, Lord Melbourne, [127]; the Duke of Wellington, [128]; Earl of Winchelsea's question on the principles of the new government, [132]; Lord Melbourne's reply, [133]; Lord

Parliament—*continued*.

Brougham's speech, [134]; Marquess of Normanby, [137]; resignation of the speakership by Mr. Abercrombie; Mr. Shaw Lefevre proposed for speaker by Mr. Handley; Sir S. Lushington seconds the proposition, [138]; Mr. W. Wynn proposes Mr. Goulburn for speaker; seconded by Mr. W. Patten; Mr. Shaw Lefevre elected by a majority of 18, [139]; national education; Lord J. Russell's speech, [141]; Lord Stanley's amendment, [143]; Lord Morpeth's defence of the government measure, [145]; Lord Ashley's speech, [146]; Mr. Hawes, [148]; Lord F. Egerton, Mr. Wyse, [149]; Mr. C. Buller, [151]; Mr. D'Israeli, Sir G. Staunton, Mr. Gibson, [152]; Sir R. Inglis, Mr. O'Connell, [153]; Mr. Gladstone, [154]; the Chancellor of the Exchequer, Sir J. Graham, [156]; Lord John Russell, [157]; Sir R. Peel, [159]; measure carried by a majority of 5, [160]; house in committee; Lord Mahon opposes the grant of 30,000*l.*; Mr. Sheil's speech, [161]; Mr. Goulburn; ministers carry their motion by a majority of 2, [163]; debate on the same subject in the House of Lords; Archbishop of Canterbury's speech, [164]; his resolutions; Marquess of Lansdowne's speech, [165]; Bishop of Exeter, [166]; Bishop of London, [167]; Lord Brougham, [169]; Duke of Wellington, [170]; Lord Melbourne, majority in favour of the resolutions, 111; the Queen's answer to the remonstrance of the Lords, [171]; Lord Brougham's plan, [172]; Canada—Lord Durham's report, [173]; Lord Durham's speech, [174]; the Duke of Wellington moves for copies of Sir F. Head's correspondence; Lord Melbourne's speech, [176]; Lord Brougham's speech; appointment of Mr. Turton; Earl of Winchelsea's motion, [178]; Lord Durham takes the responsibility of the appointment on himself; Lord Durham's line of policy for the government of Canada, [179]; the Queen's message, recommending the union of the two provinces; Lord J. Russell introduces the measure in the House of Commons, [182]; his resolutions; objections of Mr. Hume; adjournment of the House moved; Sir R. Peel's speech, [186]; Mr. C. Buller, [187]; Mr. O'Connell; Lord

INDEX.

Parliament continued.

J. Russell's reply; adjourned debate; alteration of the government measure, [188]; address of the house of assembly of Upper Canada on Lord Durham's report; resumption of the debate; Lord J. Russell's speech, [190]; leave given to bring in the bill; discussion on the expenses of Lord Durham; Sir S. Canning's remarks, [191]; Mr. C. Buller, Mr. Goulburn, Mr. Labouchere, [192]; second reading of the bill; Sir G. Sinclair's speech; Mr. O'Connell, Mr. C. Buller, Mr. Leader, [193]; Sir R. Peel, Lord J. Russell, Mr. Ellice, [194]; debate on going into committee; Sir W. Molesworth's motion; Sir G. Grey's reply, [195]; Sir C. Grey, [196]; Sir R. Peel, [197]; Lord J. Russell's reply; Mr. C. Buller, [199]; Mr. Labouchere; house in committee; debate on the clauses; bill brought forward in the House of Lords by the Marquess of Normanby, [201]; Lord Brougham's speech, [203]; Lord Melbourne, the Duke of Wellington, [205]; Lord Durham, [206]; second Jamaica bill brought in by Mr. Labouchere, [209]; Sir R. Peel's observations, [210]; Lord J. Russell, Mr. Hume, Sir C. Grey; house in committee; Sir E. Sugden, [211]; Mr. Labouchere, Mr. Gladstone, Mr. Goulburn, Mr. Shell, [212]; the first clause carried by a majority of 34; third reading; Mr. Goulburn moves the omission of the first clause; Mr. Hume seconds the amendment; Lord J. Russell, Sir R. Peel, [213]; amendment lost; second reading of the bill in the house of lords; the Marquess of Normanby's speech censured by the Duke of Wellington; house in committee; Lord Lyndhurst moves the expulsion of the first clause, [214]; Lord Glenelg's speech, [215]; Marquess of Normanby, Lord Brougham, [216]; Lord Melbourne's reply, [218]; the clause expunged by a majority of 69; Lord Brougham's amendment to the second clause; report brought up; Lord Melbourne, Marquess of Normanby, Lord St. Vincent, [219]; bill read a third time; the Lords amendments agreed to by the Commons; Malta address moved by Lord Brougham, [220]; Lord Glenelg's reply, [221]; Marquess of Normanby, Duke of Wellington, [223]; address withdrawn; Ear

Parliament continued.

of Ripon's motion relative to the abolition of sundry legal offices, [224]; Lord Glenelg's reply, [226]; the Lord Chancellor, Lord Brougham, [236]; Marquess of Normanby; motion agreed to; Mr. Ward's resolutions relative to the disposal of waste lands in the colonies, [238]; Sir W. Molesworth's speech, [236]; Mr. Labouchere, [238]; Mr. Warburton, Lord Howick, [240]; Mr. Ward's reply; resolutions withdrawn, [241]; bill for the suppression of the Portuguese slave-trade, [242]; passen the House of Commons without discussion; second reading in the House of Lords; Lord Minto's speech, [243]; the Duke of Wellington opposes the bill; Lord Melbourne's speech, [245]; the Earl of Minto's reply; bill thrown out, [246]; Lord Brougham's address to the crown on the same subject carried, her Majesty's answer, [247]; second bill, brought in by Lord Palmerston [248]; carried through its several stages in the Commons; second reading in the House of Lords moved by Lord Melbourne; opposition of the Duke of Wellington to the measure, [250]; Lord Brougham's speech, [252]; the Bishop of London, the Lord Chancellor, [253]; Lord Ellenborough, Lord Minto, second reading carried by a majority of 11; protest of the Duke of Wellington; bill in committee; Lord Lyndhurst's amendments, [254]; bill read a third time; protest of the Duke of Wellington against the third reading; bill passed with Lord Lyndhurst's amendments; Marquess of Londonderry's questions on Spanish affairs, [255]; Lord Clarendon's reply, [256]; the Duke of Wellington's speech, [258]; Lord Sandon's motion on the state of the trade with Mexico and Buenos Ayres, [259]; Lord Palmerston's reply, [263]; Mr. E. Tennent's amendment, [265]; Mr. Grote, Sir S. Lushington, [267]; Mr. Alderman Thomson, Mr. C. Wood, [268]; Sir R. Peel's speech, [269]; amendment withdrawn; original motion agreed to; Lord Strangford's motion on the blockade of Buenos Ayres by the French, [270]; Lord Melbourne's reply, [271]; Lord Ashburton, Lord Aberdeen, [272]; Mr. Grote's motion on the ballot, [273] Mr. Macaulay's speech, [275]; Mr. Milnes, Lord J.

INDEX.

Parliament—*continued*.

Russell, [277]; Mr. Shiel, Sir. J. Graham, Lord Howick, [278]; Sir R. Peel's motion rejected by a majority of 118; report of the committee on printed papers; Stockdale v. Hansard, [279]; Discussion on the consideration of the report; Lord J. Russell; Mr. Warburton's amendment; Sir R. Inglis's amendment lost by a majority of 18; prisons bill, [280]; the "National petition;" Mr. T. Attwood; motion defeated; Lord J. Russell's measure for ensuring tranquillity; Birmingham police bill, [281]; Manchester and Bolton police bill; county constabulary bill; increase of the army; Lord J. Russell's speech, [282]; the budget; army; navy and ordnance estimates, [283]; income and expenditure, [284]; reduction of postage, Mr. Goulburn, [285]; Sir R. Peel; committee; Mr. Goulburn's amendment, [286]; the Chancellor of the Exchequer; Sir R. Peel, [287]; Mr. P. Thomson; measure carried by a majority of 102; bill passes the Commons; read a second time in the House of Lords; Duke of Wellington's speech, [288]; funding of exchequer bills; the Chancellor of the Exchequer's explanations [291]; Mr. Hume's inquiries; Lord Lyndhurst's speech on the labours of the session, [292]; Lord Melbourne's reply, [293]; Lord Brougham, Duke of Wellington; address of the Speaker at the close of the session; her Majesty's speech, [294]; prorogation of parliament, [296]

Patents, 473

Peel, Sir R.—his explanations on his failure to form an administration, [120]; address to, from Shrewsbury, [131]; answer, [132]

Poachers, affray with, 60

POETRY, 482

Poisoning, 15, 57, 190, 191, 196

Poor-law commissioners, fifth annual report, [297]; riots at Todmorden, [296]; introduction of the measure in Ireland, [299]

PORTUGAL:—Slave-trade; bill introduced in the British parliament, [242]; extraordinary session of the Cortes; Queen's speech, [397]; opening of the regular Cortes; debates on the address; defeat of the ministry on the force of the standing army; resignation; ministry of Sabrosa; loan voted, [398]; close of the ses-

VOL LXXXI

Portugal—*continued*.

sion; Lord Palmerston's slave-trade bill; dismissal of the Sabrosa cabinet; Count de Bomfin appointed prime minister, [399]; *vide* PARLIAMENT

Post-office despatch; attempted interview with the Queen, 262

Postage, reduction of, [285]; 254, *vide* PARLIAMENT.

President steam-ship, the, 256

Privilege question—sale at Messrs. Hansard's, 270

Privy council extraordinary; the Queen's marriage, 240

"Progress" of Queen Adelaide, 202

Promotions, 303

PUBLIC DOCUMENTS (FOREIGN):—Holland and Belgium; protocol of the conference held at the Foreign Office, Dec. 6, 1838, 421; commercial treaty between Holland and the United States, 427; China; Edict from the Imperial Commissioners to foreigners of all nations, 429; trade with China, public notice to her Britannic majesty's subjects, 433; Hatti Sheriff read by Reschid Pacha to the races subject to the Sultan, 435; treaty of commerce between the Sublime Porte and Great Britain, 437; United States; the President's message, 439; (DOMESTIC):—Letters to the Queen from Lady Loudon and Viscount Melbourne's replies, 463; Sir J. Clark's statement of the case of the late Lady Flora Hastings, 466

—Expenditure, 384

—Funded Debt, 394

—Income, 382

Quarrel between gentlemen, 194

Queen, The, announces her intended marriage, [313]; insult to the, 112; suitor to the, 151; address to the, from the creditors of the late Duke of Kent, 198—*vide* Palaces—Windsor Castle

—Dowager, Return of the, 72; progress of the, 202

Railway Accidents, 30, 107, 135, 158, 214

Rains, heavy, 175, 242, 260

Receipt, value of a, 191

Republican insurrection in France, 69

Revenue, 392

"Revivals" in Scotland, 160, 193

Riot, case of, in Norfolk, 59; at a theatre, 119; at Cambridge, 263; *vide* Birmingham, Newport

2 K

INDEX.

- Robberies, 163, 168, 207
 Roman Catholic church, new one, 116
 Rowing match on the Thames, 55
 Royal Exchange, the, 218
 — George, the, blowing up of the wreck, 185, 232

 Searching, abuse of the right of, 108
 Seduction, 170, 207
 Sheriffs, list of, 280
 Shipping lists, 398
 Shipwrecks, 4, 26, 246
 Skeleton, discovery of a, 175
 Slave question—the Amistad slave ship, 186
 — ship, capture of a, 199
 — trade, *vide* PORTUGAL
 SPAIN:—Questions in the British Parliament relative to Spanish affairs, [255]; state of parties, [384]; prorogation of the chambers; exertions for the approaching campaign, [385]; forces of the Christinos and Carlists; opening of the campaign in Arragon; General Ayerbe defeats Cabrera, [386]; Maroto takes command of the Carlists; massacres six generals; meeting with Don Carlos at Tolosa, [387]; expels his rivals from the court; follows Espartero into Santander; General Van Halen superseded; Espartero takes Ramales and Guardamino, [388]; advances into Biscay; takes Orduna; created Duke of Victory; Diego Leon repulsed from Estella; capture of Ripol, by the Comte d'Espagne, [339]; changes in the cabinet; dissolution of the Cortes; Mr. Aston succeeds Lord Clarendon as British minister at Madrid, [390]; advance of Espartero; success of O'Donnell in Valencia; strength of the army of the north, [391]; reappearance of Muniagorri in the Basque provinces; intrigues in the court and camp of Don Carlos, [392]; convention of Bergara; submission of Maroto, [393]; Espartero advances through Guipuscoa; Don Carlos retires into the defiles of the Bastan, and takes refuge in France; re-assembling of the Cortes; Queen's Speech, [394]; Fueros bill; Amnesty; Calatrava elected president; discussions, [395]; sentimental scene in the chamber; bill passed; address, [396]; dissolution of the Cortes, [397]; *vide* PARLIAMENT
 Speaker, resignation of Mr. Abercrombie, and election of Mr. Shaw Lefevre, [137]; *vide* PARLIAMENT

 State of parties, [1]
 Stephens, the Rev. J., addresses of, 67; trial of, 147
 Stephenson, Mr. R. the engineer, present to, 233
 Stock, prices of, 414
 Straw, average prices of, 415
 Sudden Death, 167
 Suicides, 15, 27, 134, 136, 156, 159, 165, 178, 179, 194, 195, 205, 212, 220, 226, 229, 232
 Suitor to the Queen, 151
 Sunday fishing, 159
 Sussex, Duke of, at Newcastle, 225
 Swindling transactions, 260

 Temperance in Ireland, 247
 Thomas, Colonel, censured by the Horse Guards for being present at a dinner where an objectionable speech was delivered, [311]
 Todmorden, poor-law riot at, [298]
 Tournament at Eglington castle, 153
 Trade of the United Kingdom, 397
 Trades' Unions, 202
 TRIALS:—Special commission (Ireland), 8; of one of the seconds in the duel on Wimbledon common, 20; for murder at Warwick, 51; of the Llanidloes rioters, 113; of Powell, the Chartist leader, 114; of Vincent and others, 128; of the Manchester Chartists, 132; at Chester, 144; of the Rev. J. Stephens, 147; of M'Donnall, 148; of the Bolton Chartists, 155; at Montreal, 198; in South Australia, 213; of the Leigh Chartists, 230; special commission, Monmouth, 265, 278
 —in Paris, Gisquet v. Messenger, 1; of English boxers, 4; the young heiress of Sempayo, 10; children in pledge for their parent's debts, 102; sentence on the conspirators, 106; curious case of swindling, 258; fraud on the Paris English benevolent society, 263
 TURKEY:—Preparations for the invasion of Syria, [408]; efforts of the European powers to prevent hostilities; note of Mehemet Ali: declaration of war by the Sultan, [409]; address of the Sultan to the fleet; advance of the Seraskier upon the Syrian frontier; march of Ibrahim Pacha; battle of Nezib; defeat of the Seraskier; mission of M. Caillet, [410]; death of the Sultan; changes in the ministry; Kosrew Pacha appointed Grand Vizier, [411]; the Capitan Pacha takes the Fleet to

INDEX.

Turkey.—*continued.*

Alexandria; proposals of the Sultan and reply of Mehemet Ali; Mehemet Ali's circular to all the Pashas, [412]; note of the ambassadors at Constantinople, on the Eastern question; Marshal Soult's circular; proposed conference at Vienna, objected to by Russia; mission of M. Brunow; conference removed to London, [413]; legislative reforms; the Hatti Sherif of Gul-Khoneh, [414]

Unfunded debt, 396

UNITED STATES:—The President's message, [415]; the revenue; the Indian tribes, [416]; the boundary question; resolution of the Congress for the exclusion of the abolition question, [417]; disputes between the district of Maine and New Brunswick; proclamation of Sir J. Harvey, [418]; message of Governor Fairfield; propositions from New Brunswick, [419]; correspondence between Mr. Fox and Mr. Forsyth, [420]; President's message to Con-

United States.—*continued.*

gress on the subject, [421]; debate, [422]; temporary arrangement communicated to Congress; violent speeches, [423]; matter referred to the committee on foreign affairs, [424]; debates in the house of representatives and senate of Maine; temporary insolvency of the United States Bank, [425]; *vide* CANADA—NEW BRUNSWICK—NOVA SCOTIA—PUBLIC DOCUMENTS

Vessels built and registered, 400

Waste lands in the colonies, Mr. Ward's resolutions concerning, [228]

—*vide* PARLIAMENT

Ways and means, 393

Wellington, Duke of, his observations on the Birmingham riots [397]; dinner to, at Dover, as Lord Warden of the Cinque Ports, [398]; Lord Brougham's speech, [399]; illness of, 239

—*memorial* (Edinburgh), 276
Windsor Castle, windows broken at, 198; attempt of a maniac to enter, 246; *vide* Palace

